



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

February 26, 2015

Ghita Schwarz, Esq.
Center for Constitutional Rights
666 Broadway, 7th Floor
New York, NY 10012

Subject: DHS-OIG FOIG Request No. 2015-078 – Final Response
(CRCL FOIA Request No. 2015-CRFO-00002)

Dear Ms. Schwarz:

This responds to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS) Office of Civil Rights and Civil Liberties (CRCL) and other offices, dated October 17, 2013, and seeking, in summary, records about Immigration and Customs Enforcement (ICE) home enforcement operations and their impact on local communities (request enclosed for reference). CRCL referred 78 pages of records to the DHS Office of Inspector General (OIG) for processing and direct response to you. DHS-OIG received that referral on January 23, 2015.

DHS-OIG conducts independent investigations, audits, inspections, and special reviews of DHS personnel, programs, and operations to detect and deter waste, fraud, and abuse, and to promote integrity, economy, and efficiency within DHS. We reviewed under the FOIA the records referred to us by CRCL to determine whether they may be accessed under the FOIA's provisions. Based on that review, this office is providing the following:

11 page(s) are released in full (RIF);
48 page(s) are released in part (RIP);
0 page(s) are withheld in full (WIF);
19 page(s) were referred to another entity.

The exemptions cited for withholding records or portions of records are marked below.

Freedom of Information Act, 5 U.S.C. § 552			Privacy Act, 5 U.S.C. § 552a
☐ 552(b)(1)	☐ 552(b)(5)	☒ 552(b)(7)(C)	☐ 552a(j)(2)
☐ 552(b)(2)	☒ 552(b)(6)	☐ 552(b)(7)(D)	☐ 552a(k)(2)
☐ 552(b)(3)	☐ 552(b)(7)(A)	☒ 552(b)(7)(E)	☐ 552a(k)(5)
☐ 552(b)(4)	☐ 552(b)(7)(B)	☐ 552(b)(7)(F)	☐ Other:

OIG redacted from the enclosed documents, names and identifying information of third parties to protect the identities of these individuals. Absent a Privacy Act waiver, the release of such information concerning the third parties named in these records would result in an unwarranted invasion of personal privacy in violation of the Privacy Act. That information is also protected from disclosure pursuant to Exemptions 6 and 7(C) of the FOIA further discussed below.

Exemption 6, 5 U.S.C. § 552(b)(6)

Exemption 6 allows withholding of “personnel and medical files and *similar files* the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” See 5 U.S.C. § 552(b)(6)(emphasis added). DHS-OIG is invoking Exemption 6 to protect the names of third parties and any information that could reasonably be expected to identify such individuals.

Exemption 7(C), 5 U.S.C. § 552(b)(7)(C)

Exemption 7(C) protects from public disclosure “records or information compiled for law enforcement purposes...[if disclosure] could reasonably be expected to cause an unwarranted invasion of personal privacy.” See 5 U.S.C. § 552(b)(7)(C). DHS-OIG is invoking Exemption 7(C) to protect the identities of third parties, and any information contained in these investigative records that could reasonably be expected to identify those individuals. In addition, pursuant to a consultation with the Department of Justice, Office of Civil Rights (DOJ-CRT), DHS-OIG was directed to invoke Exemption (b)(7)(C) for DOJ-CRT employee names and direct contact information.

Exemption 7(E), 5 U.S.C. § 552(b)(7)(E)

Exemption 7(E) protects all law enforcement information that “would disclose techniques and procedures for law enforcement investigation or prosecution, or would disclose guidelines for law enforcement investigations or prosecution if such disclosure could reasonably be expected to risk circumvention of the law.” See 5 U.S.C. § 552(b)(7)(E). DHS-OIG is withholding from disclosure a technique for determining possible deceptive behavior. Release of such information could reasonably be expected to risk circumvention of the law.

Referral

For your information, 19 pages referred to us are of interest to another DHS component. As such, those 19 pages were referred back to CRCL

for appropriate handling. Should you wish to contact CRCL you may write to: Aeron Pineiro, Acting FOIA Officer, Office of Civil Rights and Civil Liberties, U.S. Department of Homeland Security, Washington, D.C. 20528. You may also call 202-357-1218, or email CRCL@dhs.gov.

Appeal

Although I am aware that your request is the subject of ongoing litigation and appeals are not ordinarily acted on in such situations, I am required by statute and regulation to inform you of your right to file an administrative appeal.

Should you wish to appeal DOJ-CRT's withholding determinations, you may do so by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 1425 New York Avenue, N.W. Building, Suite 11050, Washington, D.C. 20530. Your appeal must be received by OIP within 60 days from the date of this letter in order to be considered timely. The envelope should be marked "FOI/PA Appeal." You may also submit your appeal via OIP's electronic portal (at <http://www.justice.gov/oip/efoia-portal.html>).

If you choose to file an administrative appeal regarding DHS-OIG's withholdings and action on this request, the appeal must be in writing and received within 60 days of the date of this response. Please address any appeal to: FOIA/PA Appeals Unit, DHS-OIG Office of Counsel, Stop 0305, 245 Murray Lane, SW, Washington, DC 20528-0305. Both the envelope and letter of appeal must be clearly marked, "Freedom of Information Act Appeal." Your appeal letter must also clearly identify the OIG's response. Additional information on submitting an appeal is set forth in the DHS regulations at 6 C.F.R. § 5.9. If you have any questions about this response, please contact me at 202-254-4001 or stephanie.kuehn@oig.dhs.gov.

Sincerely,

A handwritten signature in black ink that reads "Stephanie L. Kuehn". The signature is fluid and cursive, with a long horizontal flourish at the end.

Stephanie L. Kuehn
Senior FOIA/PA Disclosure Specialist

Enclosures

FOIA Request

October 17, 2013

Freedom of Information Act Request
U.S. Immigration and Customs Enforcement
500 12th Street SW, Stop 5009
Washington, DC 20536-5009
Attn: Catrina Pavlik-Keenan, FOIA Director

National Records Center (NRC)
Freedom of Information Act Division
P.O. Box 648010
Lee's Summit, MO 64064-5570

Freedom of Information Act Request
U.S. Department of Homeland Security
245 Murray Drive SW
STOP-0655
Washington, D.C. 20528-0655

Office of Civil Rights and Civil Liberties
U.S. Department of Homeland Security
Washington, D.C. 20528

Federal Law Enforcement Training Center (FLETC)
Freedom of Information Act Officer
Build #681, Suite 187B
Glynco, GA 31524

Re: Freedom of Information Act Request

To Whom It May Concern:

This is a request under the Freedom of Information Act, 5 U.S.C. Sec. 552 ("FOIA"), on behalf of the Immigrant Defense Project ("IDP"), the Center for Constitutional Rights ("CCR"), and the Hispanic Interest Coalition of Alabama ("HICA") (collectively "the Requesters") for information regarding U.S. Immigration and Customs Enforcement agency ("ICE") and Department of Homeland Security ("DHS") home-based enforcement operations. We ask that you please direct this request to all appropriate offices and departments within ICE and DHS, including, but not limited to, the Office of Civil Rights and Civil Liberties, the Office of Public Affairs, the Office of Detention Policy and Planning, the Office of Detention Oversight, the Federal Law Enforcement Training Center and the Office of State, Local and Tribal Coordination.

Purpose of Request

The purpose of this request is to obtain information for the public about ICE home enforcement operations (defined below) and their impact on local communities. This information will enable the public to monitor ICE home enforcement operations and ensure that the operations uphold individuals' constitutional rights. ICE has been conducting home enforcement operations during the Obama Administration as well as the Bush Administration.¹

Little information is known to the public about ICE home enforcement operations under the Obama Administration. ICE has released minimal, if any, information about its current guidelines and practices for conducting home enforcement operations, including how decisions to initiate raids are made. Information is also unavailable regarding the number of people that have been apprehended, arrested, and/or detained from home enforcement operations since January 2009. Generally speaking, the impact of home enforcement operations on families and children, particularly when children are present during a home enforcement operation, is unclear. It is also unknown to the public who is targeted and how those individuals are identified. Further, the public has no information about the constitutional compliance of home enforcement operations and whether and to what extent people affected by home enforcement operations are experiencing Fourth and Fifth Amendment violations and other abuses. ICE's guidelines and practices for monitoring and enforcement of constitutional compliance, including how complaints are handled, are unknown. If any investigations into misconduct during home enforcement operations have been undertaken, the substance and outcomes of those investigations are currently unavailable.

A. Definitions

- 1) **Home enforcement operation(s).** In this request, the term "home enforcement operations" is defined as ICE enforcement operations in, at, or around homes or residences. "Home enforcement operations" include, but may not be limited to, any ICE entry in, at, or around any place of residence, including but not limited to houses, apartments, boarding houses, rooming houses, shelters or motels where individuals reside, whether temporarily or permanently. Includes any enforcement operation that involves entry into a place of residence, and may include enforcement operations that also combine street arrests, entry into a workplace, or enforcement at other locations.
- 2) **Target(s).** In this request, the term "target" is defined as an individual specifically sought for enforcement in a home enforcement operation, who has been identified for enforcement by ICE prior to arrival at the home.
- 3) **Non-target(s) or collateral(s).** In this request, the term "non-target" or "collateral" is defined as any individual encountered in a home enforcement operation who is not a target, and is apprehended, arrested, or otherwise subject to enforcement action by ICE.
- 4) **Law Enforcement Agency.** In this request, the term "Law Enforcement Agency" includes, but is not limited to, any state, city, county, or local police agency, department of corrections, sheriff's office, jail, or other holding facility.

¹ See Exhibit A, "Will Congress Bring My Husband Back?," *New York Times*, June 12, 2013, and Exhibit B, "Letter from Southern Poverty Law Center to Scott Sutterfield" and "Letter from Southern Poverty Law Center to Janet Napolitano."

- 5) **Record(s).** In this request the term “Record(s)” includes, but is not limited to, all Records or communications preserved in electronic or written form, such as correspondences, emails, documents, data, videotapes, audio tapes, faxes, files, guidance, guidelines, evaluations, instructions, analyses, memoranda, agreements, notes, orders, policies, procedures, legal opinions, protocols, reports, rules, technical manuals, technical specifications, training manuals, studies, or any other Record of any kind.
- 6) **Database(s).** In this request the term “Database(s)” includes, but is not limited to, all Records that store, compile, or collect information, regardless of the format, size, or type of program utilized. May include, but is not limited to, information contained in spreadsheet, list, or chart format.
- 7) **Complaints.** In this request the term “complaint(s)” includes any expression of grievance, allegation of misconduct, request for investigation, or request for disciplinary action related to enforcement operations in homes made by any governmental or non-governmental agency, or by any individual. “Complaint(s)” includes but is not limited to Office of Civil Rights and Civil Liberties, Office of Professional Responsibility, and Office of Principal Legal Adviser complaints, informal complaints made by civilian individuals, including detainees or prisoners in local, state or ICE facilities or IGSA contract facilities; complaints lodged by law enforcement officers; internal complaints made by individuals employed by ICE, legal complaints; and complaints made by other governmental agencies or elected officials.

B. Acronyms

Law Enforcement Agency	LEA
Federal Bureau of Investigation	FBI
Department of Homeland Security	DHS
Immigration and Customs Enforcement	ICE
DHS Office of Civil Rights and Civil Liberties	CRCL

C. Request for Information

1) Policies, Procedures, and Objectives

Any and all Records received, maintained, or created by any government agency or subdivision, related to the policies, procedures, or objectives of home enforcement operations from January 20, 2009, to the present. Such records include but are not limited to:

- a. **Overview Documents:** policies, operating procedures, rules, internal policy guidance, monitoring mechanisms, training materials and legal opinions or memoranda referencing home enforcement operations or discussing the goals, objectives, function responsibility, purpose, and implementation of home enforcement operations.
- b. **Identification of Targets:** any and all Records related to how targets of home enforcement operations are identified.

- i. Any and all Records related to how ICE decides whom to target in a home enforcement operations. Any and all Records related to any and all classes or categories of people targeted by home enforcement operations, including, but not limited to, classes or categories based on gender, race, ethnicity, nationality, employment status, violent criminal history, threat to the nation or community, arrests, and/or sex-related offense.
 - ii. Any and all Records related to how ICE determines whether individuals targeted by home enforcement operations have gang affiliations including but not limited to how ICE defines gang membership or affiliation and how ICE determines that any target may be a gang member or associate.
- c. **Rules, Protocols, & Procedures for Conducting Home Enforcement Operations:** any and all Records related to policies, rules, protocols, practices, or procedures for conducting home enforcement operations.
 - i. Any Record containing guidance or procedures regarding ICE decision-making to undertake a home enforcement operation, including but not limited to the decision-making structure, process, and authority for deciding to undertake a home enforcement operation and any and all required administrative approval processes. Any Record related to the factors considered by ICE in deciding to undertake a home enforcement operation. Any Record related to the individual(s), agent(s), or official(s), group(s), committee(s), or sub-division(s) with authority to decide to undertake a home enforcement operation. Any Record related to when ICE may decide to undertake a home enforcement operation.
 - ii. Any and all factors used to determine when a home enforcement operation should be conducted, including the specific date and time of the home enforcement operation.
 - iii. Any Record containing policies, rules, guidance, protocols, or procedures regarding arrests of non-target individuals present during the home enforcement operation. Any Record related to when ICE may apprehend or arrest non-targeted individuals during a home enforcement operation and any factors considered in deciding when to arrest non-targeted individuals.
 - iv. Any Record containing policies, rules, guidance, protocols, or procedures related to minors under the age of 18 who may be present during a home enforcement operation, including but not limited to rules, guidance, protocols, or procedures related to: the arrest of minors; the conduct of home enforcement operations when minors are present; the questioning of minors during home enforcement operations; and for the custody of minors whose parents are apprehended and detained in home enforcement operations.
 - v. Any Record containing policies, rules, guidance, protocols, or procedures related to the use of judicial or administrative warrants. Any Record providing information about the practices of obtaining or not obtaining judicial or administrative warrants prior to conducting a home enforcement operation.
 - vi. Any Record containing policies, rules, guidance, protocols, or procedures related to seeking consent from an occupant before entering a home. Any Record providing information about the extent to which ICE requires consent to be obtained or permits nonconsensual entry, including when consent is required, the type of consent

required, whether consent must be informed, and the language in which consent may be obtained.

- vii. Any Record, including but not limited to legal memoranda, containing policies, rules, guidance, protocols, or procedures related to ICE's definition of exigent circumstances, what constitutes exigent circumstances, and when the exigent circumstances exception to requirements for obtaining consent or a warrant before entering a home may be invoked. Any Record providing information about the practices of invoking the exigent circumstances exception to requirements for obtaining consent or a warrant before entering a home.

d. Information Sharing, Gathering, & Management:

- i. Any and all Records reflecting or memorializing ICE protocol for obtaining information or data from any and all agencies that is used for home enforcement operations, including but not limited to protocols for obtaining information or data from LEAs, district attorney offices, parole offices, departments of corrections, and probation offices. Any and all Records reflecting ICE protocol for requesting information or data used for home enforcement operations from any and all governmental agencies.
- ii. Any and all Records reflecting or memorializing ICE protocol for use of post-conviction relief motions to identify and target individuals in home enforcement operations.
- iii. Any and all Records reflecting or memorializing ICE protocol for use of the Homeland Security Initiative Tip Form, and information gathered therein, to identify targets of home enforcement operations.
- iv. Any and all names of databases created or used by ICE to identify targets of home enforcement operations, including databases supplied to ICE by other government agencies.
- v. Any and all names of databases created or used by ICE for home enforcement operations that identify or in any way indicate gang membership or gang affiliation of individuals, including but not limited to databases created by other federal agencies or LEAs and shared with ICE.

e. Performance Goals or Quotas: any and all Records reflecting, constituting, memorializing, documenting, or concerning any ICE performance goals or quotas for arrests at national, state, regional, and/or local levels, including but not limited to:

- i. Any and all policy memoranda, emails, protocols, communications, or guidance that supersedes the the Memorandum entitled "National Fugitive Operations Program: Priorities, Goals, and Expectations" dated December 8, 2009², the Memorandum entitled "Civil Immigration Enforcement: Priorities for the Apprehension, Detention, and Removal of Aliens" dated June 30, 2010³, and any policy memoranda, emails, protocols, communications, or guidance used by Enforcement and Removal Operations, Homeland Security Investigations, or any other branch of ICE.

² Attached hereto as Exhibit C.

³ Attached hereto as Exhibit D.

- ii. Any and all policy memoranda, emails, protocols, communications, or guidance that instruct agents, officers, or employees in methods of meeting such performance goals or quotas, including but not limited to identifying additional targets through the Law Enforcement Support Center and any of its programs, services, or initiatives; the Secure Communities, the Criminal Alien Program, 287g, the Alien Absconder Initiative, and the National Fugitive Operations Program; ICE Agreements of Cooperation in Communities to Enhance Safety and Security ("ACCESS"), terrorism watch lists, Deportable Alien Control System databases, Fugitive Case Management System and Apprehension Reports, Enforce Alien Removal Module; and lists, classifications, or categories generated by DHS or any other governmental agency or local and state law enforcement agencies.
- f. **Misconduct:** any and all Records related to ICE standards for conducting enforcement operations in homes and documentation of and responses to misconduct during home enforcement operations.
 - i. Any and all Records containing training materials, briefing, guidance, procedures, rules, or other informational materials for ICE agents on compliance with constitutional, statutory, regulatory, or other external rules.
 - ii. Any and all Records containing legal memoranda or briefing on the constitutional, statutory, regulatory, or other legal rules for conducting home enforcement operations, including but not limited to legal memoranda discussing or in any way concerning the legal authority of ICE to conduct home enforcement operations in the period before, during, and after the passage of HB56.
 - iii. Any and all Records related to ICE procedures, or practices for monitoring or plans to monitor compliance of home enforcement operations with constitutional, statutory, regulatory, or other legal rules.
 - iv. Any and all Records related to ICE protocols, procedures, or practices for monitoring or plans to monitor compliance of home enforcement operations with ICE internal policies, rules, protocols, procedures, or practices.
 - v. Any and all Records related to ICE policies, rules, protocols, processes, procedures, or practices for receiving civilian complaints of misconduct during home enforcement operations, including but not limited to any complaint form that supersedes the Civil Right Complaint form that was last updated on March 15, 2011.⁴
 - vi. Any and all Records related to ICE policies, rules, protocols, procedures, or practices for responding to complaints of misconduct during home enforcement operations, including but not limited to complaints of constitutional violations.

2) Data & Statistical Information

Any and all Records, excluding Records from individual alien files, containing data or statistics prepared, compiled, or maintained by ICE or any agency or subdivision thereof related to or pertaining to individuals apprehended, arrested, and/or detained from home enforcement operations and any misconduct during home enforcement operations alleged or disciplined beginning January 20, 2009 through the present. Unless otherwise specified, the requests below seek data or statistics from all

⁴ Attached hereto as Exhibit E.

geographical areas that fall within the jurisdictions of the Buffalo, New York; New York, New York; and New Orleans, Louisiana ICE field offices. Such Records should include, but not be limited to:

- a. **Home enforcement operations conducted:** Any and all Records that contain data or statistical information indicating the number of home enforcement operations undertaken by ICE since January 20, 2009 broken out by year, the year(s) in which the home enforcement operations were conducted, and the locations of the home enforcement operations.
- b. **Arrests in home enforcement operations in each county in New York State and in the Alabama counties of Cherokee, Chilton, DeKalb, Jackson, Jefferson, Shelby, and Tuscaloosa:** Any and all Records that contain data or statistical information indicating the number of people arrested in home enforcement operations and the reasons stated for arrest. Any and all records that provide a list of categories of data kept on individuals arrested. Any and all Records documenting the zip codes in which arrests during home enforcement operations take place. Any and all Records that contain data or statistical information indicating the number of target arrests and/or the number of non-target arrests made in home enforcement operations. Any and all Records that contain data or statistical information indicating:
 - i. the number of children taken into ICE custody as a result of home enforcement operations
 - ii. the number of minor children taken into the custody of local or state child protective services agencies as a result of arrests of parents or custodians
 - iii. the number of parents of minor children taken into ICE custody as a result of enforcement operations in homes
 - iv. the number of parents taken into ICE custody whose minor children are U.S. citizens.
 - v. the number of individuals arrested in home enforcement operations broken down by race, ethnicity, nationality, gender, and/or age.
 - vi. the number of individuals arrested in home enforcement operations who are identified on terrorism watch lists.
 - vii. the number of individuals arrested in home enforcement operations purported to be members of gangs.
 - viii. the number of individuals arrested in home enforcement operations purported to be associates or affiliates of gangs.
 - ix. the number of individuals arrested in home enforcement operations with violent crime convictions (as defined by the FBI to include murder and non-negligent manslaughter, forcible rape, robbery, and aggravated assault), with other felony convictions, and with misdemeanor convictions between January 20, 2009 and the present. See "FBI Violent Crime Definition," attached hereto as Exhibit G, broken down by category.
 - x. the number of individuals arrested in home enforcement operations with prior orders of removal and/or deportation (including those subject to expedited removal).
 - xi. the number of individuals arrested in home enforcement operations with convictions for drug-related offenses, broken down by convictions for possession, intent to sell, and trafficking.

- xii. the number of individuals arrested in home enforcement operations with convictions related to sexual misconduct.
 - xiii. the number of individuals arrested in home enforcement operations who were identified by, or using data from, Secure Communities, 287(g), or the Criminal Alien Program, broken down by category.
 - xiv. the number of individuals arrested in home enforcement operations who were identified by, or using data from, LEAs.
 - xv. the number of individuals arrested whose prior convictions were for crimes charged prior to January 1, 2003; the number of individuals whose prior convictions were for crimes charged after January 1, 2003; and the number of individuals who have prior convictions but for whom ICE does not have information regarding the charge date.
- c. **Individuals detained and/or subject to removal proceedings in each county in New York State and in the Alabama counties of Cherokee, Chilton, DeKalb, Jackson, Jefferson, Shelby, and Tuscaloosa:** Any and all Records that contain data or statistical information indicating the numbers of individuals who were arrested in home enforcement operations and who were:
- i. placed in removal proceedings, including but not limited to expedited removal, administrative removal, reinstatement of removal, and removal proceedings pursuant to Section 240 of the INA, broken down by category
 - ii. detained and the length of their detentions, including but not limited to the number of people subject to mandatory detention under 236(c) of the INA
 - iii. released on bond
 - iv. issued a bond; the number whose bond amount was set at \$5000 or above; and the number whose bond amount was set at \$10,000 or above
 - v. granted prosecutorial discretion
 - vi. granted administrative closure
 - vii. granted any other form of judicial relief or legal status, broken down by type of relief
 - viii. removed.
 - ix. granted voluntary departure.
- d. **Landlord participation in home enforcement operations:** Any and all Records that reflect or constitute instances of coordination, collaboration, cooperation, or the sharing of information between ICE and any private landlord, property manager, employer-based housing management authority or public housing authority. Includes but may not be limited to the provision of security services, access, and/or surveillance, or assistance in planning or execution of a home enforcement operation, by a landlord, property manager, or public housing authority.
- e. **Contraband:** Any and all Records that contain information related to or documenting illegal substances, contraband, or illegal weapons found and/or collected in home enforcement operations.
- f. **Misconduct:** Any and all Records that contain data or statistical information related to misconduct of ICE agents during home enforcement operations, including but not limited to

information related to misconduct for violations of constitutional, statutory, regulatory, or internal standards, or for other abuses. Records may include, but are not limited to:

- i. Any and all Records containing information, including but not limited to narrative information, statistical information, or interviews, on complaints, reports, lawsuits, or allegations of misconduct by ICE agents during home enforcement operations.
 - ii. Any and all Records containing data or statistical information on investigations into misconduct by ICE agents during home enforcement operations.
 - iii. Any and all Records that contain data or statistical information on the number of ICE agents that have been subject to investigations or disciplinary proceedings.
 - iv. Any and all Records that contain data or statistical information on the outcomes of any and all disciplinary proceedings of ICE agents for misconduct during home enforcement operations.
 - v. Any and all Records that contain data or statistical information on investigations of misconduct during home enforcement operations.
 - vi. Any and all Records related to DHS Office of Civil Rights and Civil Liberties handling of misconduct, or allegations of misconduct, during home enforcement operations. Includes but may not be limited to gathering of information, issuance of memoranda or guidance, investigations, reports, or inquiries made by CRCL related to home enforcement operations. Any and all Records held at or by CRCL related to home enforcement operations.
 - vii. Any and all Records related to disciplinary action taken against individual officers for abuses or misconduct during home enforcement operations, included but not limited to disciplinary action taken for violations of constitutional limitations or for violations of or deviance from internal ICE rules, protocols, procedures, or practices.
- g. **Supervision of home raids:** Any and all Records that contain information indicating the names and/or titles of ICE agents who supervised enforcement operations in homes. Any and all Records that contain information indicating the names and/or titles of ICE agents who in any way participated in the planning, coordination, or overseeing of home enforcement operations.

D. Format of Production

Please search for responsive records regardless of format, medium, or physical characteristics, and including electronic records. Please provide the requested documents in the following format:

- Saved on a CD, CD-ROM or DVD;
- In PDF or TIF format wherever possible;
- Electronically searchable wherever possible;
- Each paper record in a separately saved file;
- “Parent-child” relationships maintained, meaning that the requester must be able to identify the attachments with emails;
- Any data records in native format (i.e. Excel spreadsheets in Excel);
- Emails should include BCC and any other hidden fields;
- With any other metadata preserved.

E. The Requesters

The Center for Constitutional Rights ("CCR") is a non-profit, public interest, legal, and public education organization that engages in litigation, public advocacy, and the production of publications in the fields of civil and international human rights. CCR's diverse dockets include litigation and advocacy around immigration detention, post-9/11 immigration enforcement policies, policing, and racial and ethnic profiling. CCR is a member of immigrant rights networks nationally and provides legal support to immigrant rights movements. One of CCR's primary activities is the publication of newsletters, know-you-rights handbooks, legal analysis of current immigration law issues, and other similar materials for public dissemination. These and other materials are available through CCR's Development, Communications, and Education & Outreach Departments. CCR operates a website, www.ccrjustice.org, which addresses the issues on which the Center works. The website includes material on topical civil and human rights issues and material concerning CCR's work. All of this material is freely available to the public. In addition, CCR regularly issues press releases and operates a listserv of over 50,000 members and issues "action alerts" that notify supporters and the general public about developments and operations pertaining to CCR's work. CCR staff members often serve as sources for journalist and media outlets, including on immigrant rights.

The Hispanic Interest Coalition ("HICA") is a non-profit, public interest, and public education organization dedicated to the social, civic and economic integration of Hispanic families and individuals in Alabama. HICA engages and empowers Alabama's Hispanic community and its numerous cultures as an economic and civic integrator, social-resource connector, and statewide educator. HICA has published and distributed over 25,000 *Bienvenidos a Birmingham* resource guides, the first comprehensive Spanish-language resource guide for Birmingham. Through relationships established with state and national organizations including the Alabama Coalition for Immigrant Justice, the National Council of La Raza, The Mexican American Legal and Education Defense Fund, The National Immigration Forum, The National Immigration Law Center and the Center for Community Change, HICA has been involved in advocacy and public education at the national, state, and local levels.

The Immigrant Defense Project ("IDP") is a non-profit organization whose mission is to promote fundamental fairness for immigrants accused or convicted of crimes. IDP seeks to minimize the harsh and disproportionate immigration consequences of contact with the criminal justice system by 1) working to transform unjust deportation laws and policies and 2) educating and advising immigrants, their criminal defenders, and other advocates. IDP disseminates information about the immigration system to the public in accessible ways and is a leader in providing training and support for legal practitioners and community members. IDP's education efforts have included developing a 1500+ page manual about the criminal-immigration system and designing and presenting a curriculum on the criminal-immigration system.

F. Fee Waiver

The Requesters are entitled to a fee waiver pursuant to 5 U.S.C.(a)(4)(A)(iii) and 6 C.F.R. §5.11(k) on the grounds that "disclosure of the requested records is in the public interest because it is likely to contribute significantly to the public understanding of the activities or operations of the government and is not primarily in the commercial interest of the requester[s]." 5 U.S.C. § 552(a)(4)(A)(iii); *see also* 6

C.F.R. § 5.11(k) (records furnished without charge if the information is in the public interest, and disclosure is not in the commercial interest of institution). *See, e.g., McClellan Ecological v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987). Requesters meet the requirements of 6 C.F.R. § 5.11(k) because the subject of the request concerns the operations or activities of the government; the disclosure of the information is likely to contribute to a significant public understanding of government operations or activities due to the requesters' expertise in the subject area and ability to convey the information; the Requesters' primary interest is in disclosure; and they have no commercial interest in the information. In addition, pursuant to 5 U.S.C. § 552(a)(4)(A)(iii), the Requesters qualify as a "representatives of the news media," defined as "any person or entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience." 5 U.S.C. § 552(a)(4)(A)(ii).

As described in Part E above, the Requesters are non-profit organizations dedicated to civil rights, human rights, and immigrant rights, and have a proven track-record of compiling and disseminating information and reports to the public about government functions and activities, including the government's record and position on immigrants' rights and policy matters. The Requesters have undertaken this work in the public interest and not for any private commercial interest. Similarly, the primary purpose of this FOIA request is to obtain information to further the public's understanding of federal immigration enforcement actions and policies. Access to this information is crucial for the Requesters and the communities they serve to evaluate immigration enforcement actions and their potential detrimental efforts.

The public has an interest in knowing about the manner in which ICE conducts home enforcement operations, including how decisions to initiate raids are made, what policies and guidelines govern ICE agents' conduct, and how ICE involves state and local entities in such actions. The public also has an interest in knowing the number of people that have been apprehended, arrested, and/or detained from home enforcement operations since January 2009 and the impact on families and children. Further, the public has an interest in knowing whether and to what extent people affected by home enforcement operations are experiencing Fourth Amendment violations and other abuses; ICE's guidelines and practices for monitoring and enforcement of constitutional compliance; and how complaints of and investigations of misconduct are handled. The records sought in this request will inform the public of the scope of ICE's home enforcement operations, their effect on public safety, and the manner in which ICE holds itself and its agents accountable for complaints of constitutional misconduct.

As stated above, the Requesters have no commercial interest in this matter. The Requesters will make any information that they receive as a result of this FOIA request available to the public, including the press, at no cost. Disclosure in this case therefore meets the statutory criteria, and a fee waiver would fulfill Congress' legislative intent in amending FOIA. *See Judicial Watch Inc. v. Rossotti*, 326 F.3d 1309 (D.C. Cir. 2003) ("Congress amended FOIA to ensure that it be 'liberally construed in favor of waivers of noncommercial requesters.'").

In the alternative, we request a limitation of processing fees pursuant to 5 U.S.C. § 552(a)(4)(A)(ii)(II). ("[F]ees shall be limited to reasonable standard charges for document duplication when records are not sought for commercial use and the request is made by . . . a representative of the news media."). *See also* 6 C.F.R. § 5.11(d). If no fee waiver is granted and the fees exceed \$250.00, please contact the Requesters' undersigned counsel to obtain consent to incur additional fees.

G. Expedited Processing

The Requesters are entitled to expedited processing of this request because there is a “compelling need” for the information. 5 U.S.C. § 552(a)(6)(E)(i)(I). A “compelling need” is established when there exists an “urgency to inform the public concerning actual or alleged Federal Government activity,” when the requester is a “person primarily engaged in disseminating information,” 6 C.F.R. § 5.5(d)(ii).

There is an urgent need to inform the public of the policies, procedures, guidelines, action, responses, instructions and data regarding ICE’s home enforcement operations. Courts have found that the manner in which ICE has conducted home enforcement operations violated the Fourth Amendment,⁵ yet little information is available to the public regarding current guidance in conducting home operations or accountability for complaints of misconduct. The number of Fugitive Operations Teams (“FOTs”), the entity responsible for many operations in homes, has increased from 8 in 2003 to 129 in 2013. In FY 2012, these teams alone accounted for more than 37,000 arrests.⁶ As ICE continues to conduct home enforcement operations across the country, the public has an urgent need to know how ICE chooses targets, conducts operations, and holds its agents accountable for constitutional violations.

H. Certification & Conclusion

The Requester certifies that the above information is true and correct to the best of the Requesters’ knowledge. *See* 6 C.F.R. § 5.5(d)(3). If this Request is denied in whole or in part, the Requesters ask that the Department of Homeland Security and ICE justify all deletions by reference to specific exemptions of FOIA. The Requester expects DHS and ICE to release all segregable portions of otherwise exempt material, and reserves the right to appeal a decision to withhold any records or to deny the within application for expedited processing and waiver of fees.

Please furnish all applicable Records to:

Ghita Schwarz, Center for Constitutional Rights, 666 Broadway, 7th Floor, New York, NY 10012.

If you have any questions regarding the processing of this request, please contact Ghita Schwarz at (212) 614-6445, or Ian Head at (212) 614-6470. Thank you for your consideration.

Sincerely,



Ghita Schwarz, Esq.
Center for Constitutional Rights
666 Broadway, 7th Floor
New York, NY 10012
gschwarz@ccrjustice.org

On Behalf of the Requesters

⁵ *See, e.g., Sicajau Cotzocoy v. Holder*, 2013 U.S. App. LEXIS 15626 (2d Cir., July 31, 2013); *Pretzantzin v. Holder*, 2013 U.S. App. LEXIS 15627 (2d Cir. July 31, 2013).

⁶ *See* Exhibit F, “Fact Sheet: ICE Fugitive Operations Teams,” available at <http://www.ice.gov/news/library/factsheets/fugops.htm>.

Requester's Name: Ghita Schwarz

FOIA/PA NO.: 2015-078

MIXED DOCUMENTS

11 (RIF)

48 (RIP)

0 (WIF)

0 (DUP)

0 (NR)

19 Referred

**DEPARTMENT OF HOMELAND SECURITY
OFFICE OF INSPECTOR GENERAL**

REPORT OF INVESTIGATION

I11-ICE-DAL-01327



~~THIS REPORT CONTAINS SENSITIVE LAW ENFORCEMENT MATERIAL. IT MAY NOT BE
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Homeland
Security

REPORT OF INVESTIGATION

Case Number:	I11-ICE-DAL-01327
Case Title:	[REDACTED] Deportation Officer [REDACTED], Deportation Officer, Enforcement Removal Operations Immigration and Customs Enforcement [REDACTED] [REDACTED]
Report Status:	Final
Alleged Violation(s):	Violation of Civil Rights 18.U.S. Code 242

SYNOPSIS

On September 21, 2011, the Department of Homeland Security, Office of Inspector General, Dallas Field Office, opened an investigation based upon information received from a referral from the Joint Intake Center. The referral referenced a complaint that Deportation Officers, [REDACTED] Immigration and Customs Enforcement, Enforcement Removal Operations (ICE/ERO) [REDACTED] violated the civil rights of [REDACTED] by unlawfully assaulting, arresting and detaining [REDACTED] during an enforcement operation.

DHS OIG interviewed [REDACTED] who denied any unlawful action occurred and maintained their actions were based on ICE/ERO policy and within agency guidelines.

DHS OIG interviewed four witnesses to the event who corroborated that [REDACTED] did not assault [REDACTED] and did not engage in unnecessary physical action toward [REDACTED]

DHS OIG interviewed [REDACTED] who claimed [REDACTED] sustained injuries due from the excessive use of force by [REDACTED] was not forthcoming during [REDACTED] interview and agents observed that [REDACTED] demonstrated verbal and non-verbal cues of deception during the interview.

The Department of Justice, Civil Rights and Civil Liberties Division declined prosecution of the matter due to lack of corroborative evidence, eyewitness statements refuting [REDACTED] claim, and lack of candor from [REDACTED]

Reporting Agent		Distribution:	
Name: [REDACTED]	Signature: [REDACTED]	Dallas Field Office	Original
Title: Special Agent	Date: 10/5/12	Headquarters	cc
Approving Official			
Name: Charles D. Haas	Signature: [Signature]	Component(s)	cc
Title: Special Agent in Charge	Date: 10/2/12	Other	cc

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INV FORM 405

REPORT OF INVESTIGATION

DETAILS

Allegation: Deportation Officers, [REDACTED], Immigration and Customs Enforcement, Enforcement Removal Operations (ICE/ERO) [REDACTED] violated the civil rights of [REDACTED] by unlawfully assaulting, arresting and detaining [REDACTED] during an enforcement operation.

On September 21, 2011, the Department of Homeland Security (DHS), Office of Inspector General (OIG), Dallas Field Office, opened an investigation based upon information received from a referral from the Joint Intake Center (JIC). The JIC forwarded an email from [REDACTED] regarding Deportation Officers (DO), [REDACTED] and [REDACTED], Immigration and Customs Enforcement, Enforcement and Removal Operations (ICE/ERO) [REDACTED] [REDACTED] emailed the Department of Justice, Civil Rights and Civil Rights Division (DOJ/CRCL) detailing that [REDACTED] [REDACTED] was assaulted, unlawfully arrested and detained by [REDACTED] during a fugitive apprehension operation conducted by ICE/ERO officers on [REDACTED] 2011, at a residence located in [REDACTED] (Exhibit 1)

DHS OIG separately interviewed [REDACTED] with their attorneys present. Both [REDACTED] and [REDACTED] voluntarily waived their prior compelled statements mandated by ICE/ERO management. [REDACTED] and [REDACTED] prepared affidavits at the conclusion of their interview. [REDACTED] and [REDACTED] stated that they utilized appropriate measures after [REDACTED] assaulted [REDACTED]. Both stated they utilized the minimum amount of force necessary to subdue [REDACTED] and believed that under the circumstances, additional force was warranted, but elected not to do so. Both stated they did not punch, strike, kick or drag [REDACTED]. After [REDACTED] was handcuffed, they observed [REDACTED] did not ask for medical attention, and did not verbalize any pain or suffering during the encounter. (Exhibits 2 and 3)

DHS OIG interviewed [REDACTED] who stated [REDACTED] sustained bruising along the side of [REDACTED] back and a scrape on [REDACTED] knee as a result of being shoved to the ground, drug along the ground, then was handcuffed by [REDACTED]. After [REDACTED] initial statement, DHS OIG observed [REDACTED] engage in possible deceptive verbal and non-verbal behavior as [REDACTED] began to speak without the aid of [REDACTED] written statement. [REDACTED] started to [REDACTED] [REDACTED] also began to [REDACTED] (Exhibit 4)

] 7E

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REPORT OF INVESTIGATION

DHS OIG interviewed two witnesses who [REDACTED] where the incident occurred. [REDACTED] provided the names and contact information for these individuals. One witness, [REDACTED], remembered the incident, but did not actually see any of the events that occurred. [REDACTED] who stated [REDACTED] was fine, but was trying to find witnesses to the incident. (Exhibit 5)

The other witness, [REDACTED], stated [REDACTED] did not see ICE agents or law enforcement officers place [REDACTED] on the ground. [REDACTED] did not witness any conversations or altercations prior to seeing [REDACTED] on the ground and did not hear any loud noises, screams or "commotion" during the incident. [REDACTED] did not see anyone drag [REDACTED] on the ground after [REDACTED] was handcuffed. (Exhibit 6)

DHS OIG developed two additional witnesses to the event. One [REDACTED], stated that the agents were not rough with [REDACTED] and they did not drag, or kick [REDACTED] while [REDACTED] was on the ground. [REDACTED] did not observe the agents strike or punch [REDACTED] at any time and did not hear any screaming, yelling or profanity and [REDACTED] believed [REDACTED] would have heard any loud outbursts as [REDACTED] was [REDACTED] when the incident happened. (Exhibit 7)

The other witness, [REDACTED], stated [REDACTED] observed what happened from [REDACTED] [REDACTED] saw a "commotion and a lot of activity" at [REDACTED] [REDACTED] did not recall hearing any loud noises, screaming or yelling [REDACTED] stated that [REDACTED] appeared to be complying, but was "fidgety", then [REDACTED] was put on the ground and handcuffed. [REDACTED] described the officers as "professional, no unnecessary roughness" and did not observe them kick or strike [REDACTED] at any time and did not drag [REDACTED] once [REDACTED] was on the ground. (Exhibit 8)

Department of Justice, Civil Rights and Civil Liberties, Division Deputy Chief [REDACTED] 7C per DOJ-CRT declined prosecution [REDACTED] after reviewing the DHS OIG reports of the incident. (Exhibit 9)

EXHIBITS

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REPORT OF INVESTIGATION

<u>NUMBER</u>	<u>DESCRIPTION</u>
1	Memorandum of Activity, dated September 21, 2011, Receipt of Complaint
2	Memorandum of Activity, dated January 25, 2012, Interview of [REDACTED]
3	Memorandum of Activity, dated March 7, 2012, Interview of [REDACTED]
4	Memorandum of Activity, dated March 6, 2012, Interview of [REDACTED]
5	Memorandum of Activity, dated March 6, 2012, Interview of [REDACTED]
6	Memorandum of Activity, dated March 6, 2012, Interview of [REDACTED]
7	Memorandum of Activity, dated March 6, 2012, Interview of [REDACTED]
8	Memorandum of Activity, dated March 6, 2012, Interview of [REDACTED]
9	Memorandum of Activity, dated March 27, 2012, Declination of Prosecution

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Exhibit 1



Homeland
Security

MEMORANDUM OF ACTIVITY

Type of Activity: Receipt of Complaint

Case Number: I11-ICE-DAL-01327	Case Title: [REDACTED]
--------------------------------	------------------------

On September 21, 2011, the Department of Homeland Security (DHS), Office of Inspector General (OIG), Dallas Field Office, initiated an investigation based upon information forwarded by the Joint Intake Center regarding Deportation Officer (DO) [REDACTED], Immigration and Customs Enforcement, Enforcement and Removal Operations (ICE/ERO) [REDACTED].

DO [REDACTED] is alleged to have assaulted, unlawfully arrested and detained [REDACTED] during a fugitive apprehension operation conducted by ICE/ERO officers on [REDACTED], 2011 at a residence located in [REDACTED].

Name, Title, Signature, and Date:	[REDACTED]	Reviewing Official Name, Title, Signature, and Date:	[Signature] 9/20/11
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Deletion Page

Requester: Ghita Schwartz

Request #: 2015-078

8 pages from OIG Exhibit 1, originating with or of interest to another entity, are referred back to CRCL for appropriate handling.

Exhibit 2



Homeland
Security

MEMORANDUM OF ACTIVITY

Type of Activity: Interview of [REDACTED] on 1.25.2012

Case Number: I11-ICE-DAL-01327

Case Title: [REDACTED]

On January 25, 2012, Department of Homeland Security (DHS), Office of Inspector General (OIG), Dallas Field Office Special Agents (SA) [REDACTED] and [REDACTED] interviewed Deportation Officer (DO) [REDACTED], Immigration and Customs Enforcement, Enforcement and Removal Operations (ICE/ERO) [REDACTED]. The interview occurred at the office of [REDACTED]

DO [REDACTED] alleged to have assaulted, unlawfully arrested and detained [REDACTED] during a fugitive apprehension operation conducted by ICE/ERO officers on [REDACTED], 2011, at a residence located in [REDACTED].

[REDACTED] signed a Consent Form waiving [REDACTED] rights to use a previously compelled statement made on [REDACTED] 2011, at the directive of ERO management. [Agent's Note: The consent form was prepared and forwarded by DOJ Civil Rights and Civil Liberties Prosecutor [REDACTED] and SA [REDACTED] signed as witnesses. [REDACTED] read, signed and verbally acknowledged understanding of DHS OIG form 27, Voluntary Interview, SA [REDACTED] and [REDACTED] signed as witnesses. SA [REDACTED] swore [REDACTED] under oath prior to the preparation of [REDACTED] affidavit.

7C per
DOJ-CRT

[REDACTED] stated the following information in [REDACTED] interview and affidavit:

Over [REDACTED] approximate [REDACTED] of federal law enforcement experience, [REDACTED] received training and is familiar with the DHS and ICE Use of Force Policies.

On [REDACTED], 2011, prior to arriving to the [REDACTED] residence, DO [REDACTED] discussed issues of significance to the case, including the fact that a person associated with the residence had previously been arrested for a weapons offense.

[REDACTED] took appropriate action in response to [REDACTED] actions, including [REDACTED] assault on [REDACTED] utilized the minimum amount of force necessary to subdue [REDACTED] and believed that under the circumstances, additional force was warranted, but [REDACTED] elected not to do so. [REDACTED] did not knee, kick, or strike [REDACTED] at any time while [REDACTED] was subdued to the ground or after [REDACTED] was handcuffed. [REDACTED] did not witness [REDACTED] knee, kick or strike [REDACTED] at any time. At no time did [REDACTED] drag [REDACTED] along the ground. At no time were any weapons

Name, Title, Signature, and Date: [REDACTED] 1/29/2012	Reviewing Official Name, Title, Signature, and Date: [REDACTED] 1/27/12 Acting SA
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SWORN STATEMENT

including collapsible steel batons or oleo-resin capicum spray employed in this encounter. After [REDACTED] gained control of [REDACTED] handcuffed [REDACTED] in accordance with ICE/ERO policy. [REDACTED] assisted [REDACTED] to a sitting position after a negative weapons search, so that [REDACTED] would be more comfortable, compared to staying in a prone position on the ground.

[REDACTED] stated that [REDACTED] physical actions against [REDACTED], including [REDACTED] physical contact by lowering [REDACTED] shoulder into [REDACTED] initiated the incident and caused [REDACTED] to take appropriate action for their safety and welfare.

At no time during this encounter did [REDACTED] make any outcries or complaints about injuries. [REDACTED] did not observe any injuries of any kind and did not see any tears or rips in [REDACTED] clothing. [REDACTED] asked [REDACTED] if [REDACTED] was injured and [REDACTED] replied no. After [REDACTED] uncuffed [REDACTED] demeanor was friendly, and asked if [REDACTED].

On [REDACTED], 2011, [REDACTED] previously prepared a five page written statement entitled Encounter of [REDACTED] on [REDACTED], 2011, that statement was incorporated into [REDACTED] affidavit. [REDACTED] prepared [REDACTED] affidavit on SA [REDACTED] laptop, [REDACTED] and [REDACTED] reviewed it, [REDACTED] initialed each page then signed and dated the last page. [REDACTED] also initialed and dated [REDACTED] prior statement for inclusion into the affidavit.

At the conclusion of the interview, [REDACTED] was provided a Disclosure Warning/Confidentiality DHS OIG form. [REDACTED] and [REDACTED] reviewed the form, [REDACTED] signed it, and SA's [REDACTED] and [REDACTED] signed as witnesses.

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Homeland
Security

SWORN STATEMENT

Date/Time: 1/25/2012 10:05am

Location: [REDACTED]

County of: [REDACTED] County

State of: [REDACTED]

I, [REDACTED], hereby make the following free and voluntary sworn statement to [REDACTED], who has identified himself/herself to me as a Special Agents with the Office of Inspector General, U.S. Department of Homeland Security. No promises or threats have been made to me.

Also present is [REDACTED]. I have signed a voluntary consent form and also a waiver of my previous compelled statement I provided to ICE/ERO management on [REDACTED]/11.

From [REDACTED], I was [REDACTED].
[REDACTED], I received [REDACTED].

I was employed by [REDACTED] since [REDACTED].
[REDACTED] the office of Enforcement and Removal Operations.

On [REDACTED] 2011, I previously prepared a five page written statement entitled Encounter of [REDACTED] on [REDACTED] 2011. I hereby incorporate that written statement as part of this affidavit. I have reviewed and initialed this statement on today's date.

Based on my approximate [REDACTED] of federal law enforcement experience, I have received training and I am familiar with the DHS and ICE Use of Force Policies.

Prior to approaching the house which was described in my written statement, Officer [REDACTED] discussed issues of significance to the case, including the fact that a person associated with the residence had previously been arrested for a weapons offense.

Reference is made to page 4, paragraph 2 of my previous statement, based upon my experience and training, [REDACTED] took appropriate action in response to [REDACTED] actions, including [REDACTED] assault on [REDACTED] utilized the minimum amount of force necessary to subdue [REDACTED] believe that

SWORN STATEMENT

under the circumstances, additional force was warranted, [REDACTED] elected not to [REDACTED] did not knee, kick, or strike [REDACTED] at any time while [REDACTED] subdued [REDACTED] to the ground or after [REDACTED] was placed in handcuffs. I did not witness Officer [REDACTED] knee, kick or strike [REDACTED] at any time. At no time did [REDACTED] drag [REDACTED] along the ground or otherwise. At no time were any weapons including collapsible steel batons or oleo-resin capicum spray employed in this encounter. After [REDACTED] gained control of [REDACTED] place handcuffs on [REDACTED] in accordance with service policy. After searching [REDACTED] for weapons, [REDACTED] assisted [REDACTED] to a sitting position, so [REDACTED] would be more comfortable, compared to staying in a prone position on the ground.

[REDACTED] Use of Force conduct was a result of [REDACTED] actions against [REDACTED] including [REDACTED] physical contact with [REDACTED]

At no time during this encounter did [REDACTED] make any outcries or complaints about injuries. I did not observe any injuries of any kind [REDACTED] asked [REDACTED] if [REDACTED] was injured, and [REDACTED] replied no. I did not see any tears or rips in his clothing. When [REDACTED] uncuffed [REDACTED] demeanor was friendly, [REDACTED] even asked if [REDACTED]

SWORN STATEMENT

STATEMENT OF: [REDACTED]

I have read this statement of 3 pages. It is true, accurate, and complete to the best of my knowledge and belief. I have been given an opportunity to make any corrections, additions, or deletions.

[REDACTED]
(Signature)

Subscribed and sworn (or affirmed) to before me this [REDACTED] day of [REDACTED]

(Month)

(Year)

(City)

(State)

[REDACTED]
Special Agent
U.S. Department of Homeland Security
Office of Inspector General
Office of Investigations

[REDACTED]
(Witness's Signature)

Deletion Page

Requester: Ghita Schwartz

Request #: 2015-078

5 pages from OIG Exhibit 2, originating with or of interest to another entity, are referred back to CRCL for appropriate handling.



Homeland
Security

FEDERAL EMPLOYEE WARNING FORM

This interview is voluntary.

You have the right to remain silent if your answers may incriminate you.

Anything you say may be used against you as evidence both in an administrative proceeding or any future criminal proceeding.

Although you would normally be expected to answer questions regarding your official duties, in this instance you are not required to do so. Your refusal to answer on the grounds that your answers may tend to incriminate you, will not subject you to disciplinary action by the Office of Inspector General and/or the Department of Homeland Security.

I have read the aforementioned and agree to the terms mentioned therein.

[Redacted]

(Date/Time) (Location)

[Redacted]

(Printed Name) (Signature)

[Redacted]

(Witness' Printed Name)

[Redacted]

(Witness' Printed Name)

[Redacted]

(Witness' Signature)

[Redacted]

(Witness' Signature)

1/25/12 8:55

(Date/Time)

1/25/12 9am

(Date/Time)

Advice of Rights (Beckwith/Garrity)

CONSENT FORM

I, [REDACTED] fully understand that some or all of my
prior statements regarding allegations of use of excessive force against
[REDACTED] could be considered as having been
given under administrative compulsion and therefore could not be used against me in
any criminal investigation or proceeding.

Nevertheless, I believe that all pertinent information should be provided to United
States law enforcement officials in their investigation concerning these allegations of
abuse. I therefore knowingly, intelligently and voluntarily waive my constitutional and
statutory right not to have those statements used against me, and I voluntarily give my
consent that all of my prior statements be furnished to special agents of DHS Office of
the Inspector General, knowing that these prior statements may be used against me in
any criminal investigation and proceeding regardless of whether or not I take the
witness stand in any subsequent trial.

[REDACTED]
Signature

[REDACTED]
Witness

[REDACTED]
Department and Rank

1/25/12
Date

[REDACTED]
Date

[REDACTED]
Witness

1/25/12
Date



Homeland
Security

Department of Homeland Security Office of Inspector General

Disclosure Warning for Bargaining Unit Employees

"WARNING TO NOT DISCLOSE INVESTIGATIVE INFORMATION"

You are being interviewed as part of a continuing, official investigation by the U.S. Department of Homeland Security, Office of Inspector General. As this investigation is sensitive in nature, you are instructed not to discuss the nature of this interview with any other person(s), except private legal counsel.

Failure to comply with this directive could subject you to disciplinary and/or criminal action for interfering with or impeding an official investigation.

I, [REDACTED], have read and understand the above warning.
(Print Name)

[REDACTED] (signature)
Employee

Date: [REDACTED]

[REDACTED] (print name)
[REDACTED] (signature)
Special Agent
Department of Homeland Security
Office of Inspector General

Date: 1/25/2012

[REDACTED] (print name)
[REDACTED] (signature)
Witness

Date: 1/25/2012

Exhibit 3



Homeland
Security

MEMORANDUM OF ACTIVITY

Type of Activity: Interview [REDACTED] on 3/7/2012

Case Number: I11-ICE-DAL-01327

Case Title: [REDACTED]

On March 7, 2012, Department of Homeland Security (DHS), Office of Inspector General (OIG), Dallas Field Office Special Agents (SA) [REDACTED] and [REDACTED] interviewed Deportation Officer (DO) [REDACTED], Immigration and Customs Enforcement, Enforcement and Removal Operations (ICE/ERO/ [REDACTED]). The interview occurred at the ICE ERO office building located at [REDACTED]. Also present for the interview was [REDACTED] who listened telephonically. [REDACTED] provided a contact telephone number of [REDACTED].

DO [REDACTED] alleged to have assaulted, unlawfully arrested and detained [REDACTED] during a fugitive apprehension operation conducted by ICE/ERO officers on [REDACTED] 2011, at [REDACTED].

[REDACTED] signed a Consent Form waiving [REDACTED] rights to use a previously compelled statement made on [REDACTED] 2011, at the directive of ERO management. [Agent's Note: The consent form was prepared and forwarded by DOJ Civil Rights and Civil Liberties Prosecutor [REDACTED].] SA [REDACTED] and SA [REDACTED] signed as witnesses. [REDACTED] read, signed and verbally acknowledged [REDACTED] understanding of DHS OIG form 27, Voluntary Interview, SA [REDACTED] and [REDACTED] signed as witnesses. SA [REDACTED] swore [REDACTED] under oath prior to the preparation of [REDACTED] affidavit. 7C per DOJ-CRT

[REDACTED] stated the following information in [REDACTED] interview and affidavit:

[REDACTED] is currently a Deportation Officer with ERO assigned to [REDACTED] and has been employed with ERO for approximately [REDACTED]. Prior to working with ICE ERO, [REDACTED].

[REDACTED] received training at FLETC on the proper Use of Force Continuum and understands each level of force. During the incident on [REDACTED] 2011, with [REDACTED] stated that [REDACTED] used the proper continuum of the Use of Force by starting with officer presence.

Name: [REDACTED]	Reviewing Official Name, Title, Signature, and Date: [REDACTED] 3/13/12
IMPORTANT NOTICE	
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MEMORANDUM OF ACTIVITY

Upon [REDACTED] physically strike and assault [REDACTED] feared for [REDACTED] safety. [REDACTED] felt it imperative to immediately stop [REDACTED] from continuing to assault [REDACTED] and possibly [REDACTED] escalating the situation.

[REDACTED] initiated verbal commands for [REDACTED] to stop assaulting [REDACTED]. After the verbal commands failed, [REDACTED] and [REDACTED] moved to a controlled takedown technique to gain physical control of [REDACTED]. Once [REDACTED] was taken to the ground, [REDACTED] handcuffed [REDACTED] immediately asked [REDACTED] if [REDACTED] was okay and [REDACTED] stated that [REDACTED] was fine. [REDACTED] and [REDACTED] then sat [REDACTED] up and then helped [REDACTED] to [REDACTED] feet in a standing position. At no time during the incident, did [REDACTED] or [REDACTED] drag, strike, hit, trip, punch, or abuse [REDACTED].

Once [REDACTED] and [REDACTED] released [REDACTED] from the handcuffs, [REDACTED] never expressed any concern about [REDACTED] health nor did [REDACTED] make any comment or request for medical assistance or help.

[REDACTED] called [REDACTED], an Assistant U.S. Attorney (AUSA) in [REDACTED], once [REDACTED] was secured, calm, and restrained with handcuffs. [REDACTED] apprised [REDACTED] of the situation and [REDACTED] asked if [REDACTED] wanted to seek a search warrant for the residence, and [REDACTED] declined. [REDACTED] asked if [REDACTED] wanted to pursue charges against [REDACTED] for obstruction and assault against DO [REDACTED] again declined. [REDACTED] stated that since [REDACTED] had not placed [REDACTED] under arrest, [REDACTED] preferred to release [REDACTED] and move forward.

On [REDACTED], 2011, [REDACTED] previously prepared a six page written statement entitled "Encounter of [REDACTED] on [REDACTED], 2011," that statement was incorporated into [REDACTED] affidavit. [REDACTED] prepared [REDACTED] affidavit on SA [REDACTED] laptop, [REDACTED] and SA [REDACTED] reviewed it, [REDACTED] initialed each page, then signed and dated the last page. [REDACTED] also initialed and dated [REDACTED] prior statement for inclusion into the affidavit.

SA [REDACTED] provided [REDACTED] with the DHS OIG INV Non-Disclosure Warning form. [REDACTED] reviewed the form, then signed and dated it. SA [REDACTED] and SA [REDACTED] signed and dated as witnesses.

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Homeland
Security

SWORN STATEMENT

Date/Time: 3/7/2012 9:20 am	Location: [REDACTED]
County of: [REDACTED]	State of: [REDACTED]

I, [REDACTED], hereby make the following free and voluntary sworn statement to [REDACTED], who has identified himself/herself to me as a Special Agent with the Office of Inspector General, U.S. Department of Homeland Security. No promises or threats have been made to me.

I am currently a Deportation Officer with ERO assigned to [REDACTED]. I have been with ERO in [REDACTED] for approximately [REDACTED]. Prior to working with ICE, I [REDACTED].

I have had the opportunity to read and review my statement dated [REDACTED], 2011 with the subject as Encounter of [REDACTED] on [REDACTED] 2011. I am freely incorporating this statement in my testimony today on March 7, 2012. I have initialed and dated each page of this submitted statement and have signed this statement.

I received training at FLETC on the proper Use of Force Continuum and understand each level of force. During the incident on [REDACTED] 2011 with [REDACTED] used the proper continuum of the Use of Force by starting with Officer Presence.

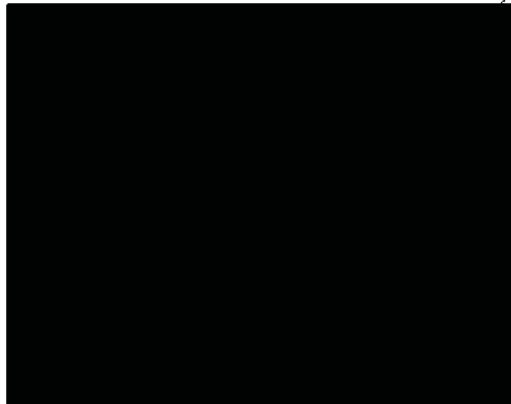
Upon [REDACTED] physically strike and assault Officer [REDACTED] I feared for Officer [REDACTED] safety. I felt it imperative to immediately stop [REDACTED] from continuing to assault Officer [REDACTED] or from escalating the situation.

[REDACTED] moved to Verbal Commands for [REDACTED] to stop assaulting Officer [REDACTED]. When that did not work, Officer [REDACTED] moved to a controlled takedown technique to gain physical control of [REDACTED]. Once [REDACTED] was taken to the ground [REDACTED] handcuffs on [REDACTED]. I asked [REDACTED] if [REDACTED] was okay and [REDACTED] stated that [REDACTED] was fine. We then sat [REDACTED] up and then up on [REDACTED] feet. At no time did Officer [REDACTED] drag, strike, hit, trip, punch, or abuse [REDACTED].

Once [REDACTED] was released from the handcuffs, [REDACTED] never expressed any concern about [REDACTED] health nor did [REDACTED] make any comment or request for assistance or help.

SWORN STATEMENT

[REDACTED], an AUSA in [REDACTED] once [REDACTED] was secured, calm, and still restrained with handcuffs. [REDACTED] apprised [REDACTED] of the situation [REDACTED] asked [REDACTED] wanted to seek a Search Warrant [REDACTED] explained that [REDACTED] did not know for sure if [REDACTED] target was in or still in the house [REDACTED] did not want to seek a Search Warrant. [REDACTED] asked [REDACTED] wanted to pursue charges against [REDACTED] (implying for obstruction and assault against [REDACTED] did not. [REDACTED] since [REDACTED] had not placed [REDACTED] under arrest, [REDACTED] rather release [REDACTED] and move forward.



SWORN STATEMENT

STATEMENT OF: 

I have read this statement of 3 pages. It is true, accurate, and complete to the best of my knowledge and belief. I have been given an opportunity to make any corrections, additions, or deletions.


(Signature)

Subscribed and sworn (or affirmed) to before me this  day of


(Month)


(Year)


(City)


(State)


Special Agent
U.S. Department of Homeland Security
Office of Inspector General
Office of Investigations


(Witness's Signature)



Homeland
Security

Department of Homeland Security Office of Inspector General

Disclosure Warning for Bargaining Unit Employees

"WARNING TO NOT DISCLOSE INVESTIGATIVE INFORMATION"

You are being interviewed as part of a continuing, official investigation by the U.S. Department of Homeland Security, Office of Inspector General. As this investigation is sensitive in nature, you are instructed not to discuss the nature of this interview with any other person(s), except private legal counsel.

Failure to comply with this directive could subject you to disciplinary and/or criminal action for interfering with or impeding an official investigation.

I, [REDACTED], have read and understand the above warning.

(Print Name)

[REDACTED] (signature)

Employee

Date: [REDACTED]

[REDACTED] (print name)

Date: 3/7/12

[REDACTED] (signature)

Special Agent
Department of Homeland Security
Office of Inspector General

[REDACTED] (print name)

Date: 3/7/12

[REDACTED] (signature)

Witness

CONSENT FORM

I, [REDACTED] fully understand that some or all of my prior statements regarding allegations of use of excessive force against [REDACTED] could be considered as having been given under administrative compulsion and therefore could not be used against me in any criminal investigation or proceeding.

Nevertheless, I believe that all pertinent information should be provided to United States law enforcement officials in their investigation concerning these allegations of abuse. I therefore knowingly, intelligently and voluntarily waive my constitutional and statutory right not to have those statements used against me, and I voluntarily give my consent that all of my prior statements be furnished to special agents of DHS Office of the Inspector General, knowing that these prior statements may be used against me in any criminal investigation and proceeding regardless of whether or not I take the witness stand in any subsequent trial.

[REDACTED]
Signature

[REDACTED]
Witness

[REDACTED]
Department and Rank

[REDACTED]
Date

3/7/12
[REDACTED]
Witness

3/7/12
Date



Homeland
Security

FEDERAL EMPLOYEE WARNING FORM

This interview is voluntary.

You have the right to remain silent if your answers may incriminate you.

Anything you say may be used against you as evidence both in an administrative proceeding or any future criminal proceeding.

Although you would normally be expected to answer questions regarding your official duties, in this instance you are not required to do so. Your refusal to answer on the grounds that your answers may tend to incriminate you, will not subject you to disciplinary action by the Office of Inspector General and/or the Department of Homeland Security.

I have read the aforementioned and agree to the terms mentioned therein.

[Redacted]

(Date/Time)

[Redacted]

(Location)

[Redacted]

(Printed Name)

[Redacted]

(Signature)

[Redacted]

(Witness Signature)

3/7/12 9:00am

(Date/Time)

[Redacted]

(Witness Signature)

3/7/12 9:00 AM

(Date/Time)

Advice of Rights (Beckwith/Garrity)

Deletion Page

Requester: Ghita Schwartz

Request #: 2015-078

6 pages from OIG Exhibit 3, originating with or of interest to another entity, are referred back to CRCL for appropriate handling.

Exhibit 4



Homeland
Security

MEMORANDUM OF ACTIVITY

Type of Activity: Interview of [REDACTED] on 3.6.2012

Case Number: 111-ICE-DAL-01327

Case Title: [REDACTED]

On March 6, 2012, Department of Homeland Security (DHS), Office of Inspector General (OIG), Dallas Field Office Special Agents (SA) [REDACTED] and [REDACTED] interviewed [REDACTED], who resides at [REDACTED]. The interview related to an allegation of excessive use of force by Deportation Officer's (DO) [REDACTED] and [REDACTED], Immigration and Customs Enforcement, Enforcement and Removal Operations (ICE/ERO) [REDACTED].

The interview was conducted at [REDACTED] [REDACTED] pre-arranged the [REDACTED] interview with [REDACTED] via e-mail.

[REDACTED] provided the following information during [REDACTED] interview:

On [REDACTED], 2011, [REDACTED] received a telephone call from [REDACTED], a resident [REDACTED] is the [REDACTED] was told on the telephone call [REDACTED] and encountered DO's [REDACTED] and [REDACTED]

[REDACTED] stated [REDACTED] were [REDACTED] had never [REDACTED] [REDACTED] told [REDACTED] and [REDACTED] was [REDACTED] and asked [REDACTED] displayed badges and placards on the vests they wore. [REDACTED] asked [REDACTED] walked away from [REDACTED] and [REDACTED] remained close to [REDACTED]

[REDACTED] walked to the front door of the residence, then [REDACTED] walked towards the front door and [REDACTED] followed [REDACTED] asked [REDACTED] to leave the area, and [REDACTED] replied [REDACTED] did not depart the residence after [REDACTED] requested them to leave.

[REDACTED] characterized the discussion with [REDACTED] as [REDACTED]. [REDACTED] stated [REDACTED] belief that if [REDACTED] did not have a warrant they should not remain on [REDACTED] property. [REDACTED] told SA [REDACTED] was not going to cooperate, and decided to call "911"

Name: [REDACTED]

Reporting Official Name, Title, Signature, and Date:

SA [REDACTED] 3/21/12

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MEMORANDUM OF ACTIVITY

[Agent's Note: a 911 call was made to the [REDACTED] Police Department dispatch on [REDACTED] 2011 and recorded approximately 16:41 minutes of dialogue with [REDACTED] and [REDACTED].]

After [REDACTED] made the 911 call, [REDACTED] attempted to walk back toward the lawn and driveway, but was blocked by [REDACTED]. After blocking [REDACTED] path, [REDACTED] then "drug [REDACTED] to the ground and kned [REDACTED] in the back." After [REDACTED] was on the ground, [REDACTED] was handcuffed, dragged along the ground, then [REDACTED] the knee on [REDACTED] back lift. [REDACTED] told [REDACTED] [REDACTED] was [REDACTED] and asked if [REDACTED] had not done anything illegal, why was [REDACTED] handcuffed. [REDACTED] then helped [REDACTED] to a standing position. At some point, the handcuffs were moved from [REDACTED] and [REDACTED] asked [REDACTED] and [REDACTED] "[REDACTED]."

[REDACTED] left [REDACTED] walked away and made a telephone call, [REDACTED] remained with [REDACTED] [REDACTED] walked back and advised [REDACTED] that an investigation was being conducted to determine if a fugitive was present at the current location. [REDACTED] showed [REDACTED] a photograph of the fugitive, [REDACTED] did not recognize the fugitive. [REDACTED] replied that [REDACTED] [REDACTED] the fugitive.

Eventually, [REDACTED] Police Department [REDACTED] PD) officers arrived on scene and met with [REDACTED] and [REDACTED] then with [REDACTED] [REDACTED] stated that initially the [REDACTED] PD officer was confrontational and instructed [REDACTED] that if [REDACTED] had cooperated, [REDACTED] would not have been handcuffed. [REDACTED] took names of the [REDACTED] PD officers and asked for a form to file a complaint. The [REDACTED] PD officers told [REDACTED] if a complaint was filed it should be directed with ICE ERO.

[REDACTED] advise [REDACTED] sustained bruising along the side of [REDACTED] back and a scrape on [REDACTED] knee as a result of being shoved to the ground, drug along the ground, then handcuffed. [REDACTED] also advised [REDACTED] shoulders have bothered since the incident, but [REDACTED] did not seek medical treatment for any of the injuries. [REDACTED] did photograph the bruising and scraping along [REDACTED] back and knee.

[REDACTED] [REDACTED] after [REDACTED] was handcuffed and stated the agents needed to leave the premise. [REDACTED] and stated [REDACTED]

[Agent's Note: [REDACTED] initially referred to a written complaint submitted to the Department of Justice Civil Rights, Civil Liberties (DOJ CRCL). The complaint addressed the events that occurred during the [REDACTED], 2011 incident. As the interview continued, SA [REDACTED] asked [REDACTED] to go over the events several times. After [REDACTED] initial statement, SA [REDACTED] and SA [REDACTED] observed [REDACTED] engage in possible deceptive verbal and non-verbal behavior as [REDACTED] began to speak without the aid of [REDACTED] written statement. [REDACTED] started to [REDACTED]

[REDACTED] also began to [REDACTED]

7E

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MEMORANDUM OF ACTIVITY

After the incident occurred, [REDACTED] met with [REDACTED] arranged a meeting with the supervisors of [REDACTED], Supervisory Detention and Deportation Officer (SDDO) [REDACTED], and Assistant Field Office Director (AFOD) [REDACTED] stated that [REDACTED] and [REDACTED] made comments that the conduct of [REDACTED] and [REDACTED] was not condoned and not the type of behavior expected from ICE ERO agents. [REDACTED] was present during this meeting.

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Exhibit 5



Homeland
Security

MEMORANDUM OF ACTIVITY

Type of Activity: Telephone Interview of [REDACTED] on 3.6.2012

Case Number: I11-ICE-DAL-01327

Case Title: [REDACTED]

On March 6, 2012, Department of Homeland Security (DHS), Office of Inspector General (OIG), Dallas Field Office Special Agents (SA) [REDACTED] and [REDACTED] telephonically interviewed [REDACTED], who resides at [REDACTED]. The interview related to an allegation of excessive use of force by Deportation Officer's (DO) [REDACTED] and [REDACTED] Immigration and Customs Enforcement, Enforcement and Removal Operations (ICE/ERO) [REDACTED].

[Agent's Note: On March 6, 2012, SA's [REDACTED] and [REDACTED] interviewed complainant [REDACTED] stated that on [REDACTED], 2011 [REDACTED] the presence of ICE DO's [REDACTED] met with [REDACTED] and [REDACTED] was handcuffed and briefly detained for interfering with [REDACTED] and [REDACTED] while they were attempting to locate a fugitive. [REDACTED] filed a complaint for excessive use of force against [REDACTED] and [REDACTED] and provided SA [REDACTED] with the contact information for [REDACTED] as a potential witness who could provide an eyewitness account of what occurred.]

On March 6, 2012, SA [REDACTED] left a voice mail message for [REDACTED] on telephone number [REDACTED]. At approximately 6:10 p.m., [REDACTED] returned SA [REDACTED] call and advised [REDACTED] was currently in [REDACTED] explained the nature of the call and how [REDACTED] acquired [REDACTED] contact information. [REDACTED] stated [REDACTED] remembered the incident, but did not actually see any of the events that occurred. [REDACTED] had [REDACTED] as the law enforcement personnel were leaving [REDACTED] stated [REDACTED] after the incident [REDACTED]. [REDACTED] advised that [REDACTED] witnesses to the incident.

[REDACTED] advised [REDACTED] would contact [REDACTED] to inquire if [REDACTED] observed what happened. [REDACTED] stated [REDACTED] would have [REDACTED] contact SA [REDACTED] if [REDACTED] witnessed any of the events that occurred.

Name, Title, Signature, and Date: 3/12/2012

Reviewing Official Name, Title, Signature, and Date:

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Exhibit 6



Homeland
Security

MEMORANDUM OF ACTIVITY

Type of Activity: Interview of [REDACTED] on 3.6.2012

Case Number: I11-ICE-DAL-01327

Case Title: [REDACTED]

On March 6, 2012, Department of Homeland Security (DHS), Office of Inspector General (OIG), Dallas Field Office Special Agents (SA) [REDACTED] and [REDACTED] interviewed [REDACTED], who resides at [REDACTED]. The interview related to an allegation of excessive use of force by Deportation Officer's (DO) [REDACTED] and [REDACTED] Immigration and Customs Enforcement, Enforcement and Removal Operations (ICE/ERO) [REDACTED]. The interview occurred at [REDACTED] residence.

[Agent's Note: On March 6, 2012, SA's [REDACTED] and [REDACTED] interviewed complainant [REDACTED] with [REDACTED] present. [REDACTED] stated that on [REDACTED] 2011 [REDACTED] the presence of ICE DO's [REDACTED] and [REDACTED] met with [REDACTED] and [REDACTED] was handcuffed and briefly detained for interfering with [REDACTED] and [REDACTED] while they were attempting to locate a fugitive. [REDACTED] filed a complaint for excessive use of force against [REDACTED] and [REDACTED] and provided SA [REDACTED] with the contact information for [REDACTED] as a potential witness who could provide an eyewitness account of what occurred.]

[REDACTED] stated [REDACTED] could not remember what date the incident occurred, but recalled seeing a disturbance at [REDACTED] house located [REDACTED]. [REDACTED] observed [REDACTED] lying on the ground handcuffed or flex cuffed. [REDACTED] did not see ICE agents or law enforcement officers place [REDACTED] on the ground. [REDACTED] did not witness any conversations or altercations prior to seeing [REDACTED] on the ground. [REDACTED] did not hear any loud noises, screams or "commotion" during the incident. [REDACTED] did not see anyone drag [REDACTED] on the ground after [REDACTED] was handcuffed.

[REDACTED] after the incident occurred, [REDACTED] speak about what happened. [REDACTED] only observed a portion of the incident and witnessed [REDACTED] lying on the ground, then saw the ICE agents help [REDACTED] into a standing position and observed a [REDACTED] Police Department marked unit show up at the house.

[REDACTED] stated [REDACTED] did not speak with [REDACTED] about the incident. [REDACTED] telephone number is [REDACTED]

Name, Title, Signature, and Date: 3/12/12

[REDACTED], Special Agent

Reviewing Official Name, Title, Signature, and Date:

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Exhibit 7



Homeland
Security

MEMORANDUM OF ACTIVITY

Type of Activity: Interview of [REDACTED] on 3.6.2012

Case Number: I11-ICE-DAL-01327	Case Title: [REDACTED]
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On March 6, 2012, Department of Homeland Security (DHS), Office of Inspector General (OIG), Dallas Field Office Special Agents (SA) [REDACTED] and [REDACTED] interviewed [REDACTED], who resides at [REDACTED]. The interview related to an allegation of excessive use of force by Deportation Officer's (DO) [REDACTED] Immigration and Customs Enforcement, Enforcement and Removal Operations (ICE/ERO, [REDACTED]). The interview occurred at [REDACTED]. [REDACTED] told SA's [REDACTED] and [REDACTED] that [REDACTED] observed the entire incident.

[Agent's Note: On [REDACTED], 2011, [REDACTED] property located [REDACTED] the presence of ICE DO's [REDACTED] and [REDACTED] met with [REDACTED] and [REDACTED] was handcuffed and briefly detained for interfering with [REDACTED] and [REDACTED] while they were attempting to locate a fugitive. [REDACTED] filed a complaint for excessive use of force against [REDACTED] and [REDACTED] SA's [REDACTED] and [REDACTED] canvassed [REDACTED] for witnesses to the incident.]

[REDACTED] recalled the incident as [REDACTED] was [REDACTED] stated [REDACTED] witnessed [REDACTED] speaking with [REDACTED] (ICE agent) and began "back talking" the agent. [REDACTED] stated that they (the ICE agents) "threw [REDACTED] on the ground." In response to a follow-up question, [REDACTED] further explained that the agents were not rough with [REDACTED] and they did not drag, or kick [REDACTED] while [REDACTED] was on the ground. [REDACTED] did not observe the agents strike or punch [REDACTED] at any time. [REDACTED] stated [REDACTED] did not hear any screaming, yelling or profanity and [REDACTED] believed [REDACTED] would have heard any loud outbursts as [REDACTED] was [REDACTED] when the incident happened.

[REDACTED] stated that a [REDACTED] Police Department marked unit arrived on scene and then everyone left. [REDACTED] mentioned [REDACTED] was [REDACTED] the vehicles at [REDACTED] property. [REDACTED] advised that different vehicles were [REDACTED] constantly the [REDACTED]

Name, Title, Signature, and Date: [REDACTED]	Reviewing Official Name, Title, Signature, and Date: [REDACTED] 3/12/12
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Exhibit 8



Homeland
Security

MEMORANDUM OF ACTIVITY

Type of Activity: Interview of [REDACTED] on 3.6.2012

Case Number: I11-ICE-DAL-01327

Case Title: [REDACTED]

On March 6, 2012, Department of Homeland Security (DHS), Office of Inspector General (OIG), Dallas Field Office Special Agents (SA) [REDACTED] and [REDACTED] interviewed [REDACTED] who resides at [REDACTED]. The interview related to an allegation of excessive use of force by Deportation Officer's (DO) [REDACTED] Immigration and Customs Enforcement, Enforcement and Removal Operations (ICE/ERO, [REDACTED]). The interview occurred at [REDACTED] residence.

[Agent's Note: On [REDACTED], 2011, [REDACTED] property located at [REDACTED] the presence of ICE DO's [REDACTED] and [REDACTED] met with [REDACTED] and [REDACTED] was handcuffed and briefly detained for interfering with [REDACTED] and [REDACTED] while they were attempting to locate a fugitive. [REDACTED] filed a complaint for excessive use of force against [REDACTED] and [REDACTED] SA's [REDACTED] and [REDACTED] canvassed [REDACTED] witnesses to the incident.]

[REDACTED] remembered the incident and observed what happened [REDACTED] saw a "commotion and a lot of activity" at [REDACTED] property located [REDACTED] [REDACTED] did not recall hearing any loud noises, screaming or yelling. [REDACTED] stated that [REDACTED] appeared to be complying, but was "fidgety", then [REDACTED] was put on the ground and handcuffed. [REDACTED] described the officers as "professional, no unnecessary roughness" and did not observe them kick or strike [REDACTED] at any time and did not drag [REDACTED] once [REDACTED] was on the ground. [REDACTED] stated it "looked like they were just cuffing [REDACTED] [REDACTED] recalled that [REDACTED] was on [REDACTED] feet when [REDACTED] was handcuffed.

[REDACTED] provided a telephone number of [REDACTED] for further contact. [REDACTED] also stated that [REDACTED] observed the entire incident. [REDACTED] called [REDACTED] asked if [REDACTED] would speak to SA's [REDACTED] and [REDACTED] and [REDACTED] invited the agents to [REDACTED] house.

Name, Title, Signature, Special Agent:	Reviewing Official Name, Title, Signature, and Date:
[REDACTED]	[REDACTED] 3/13/12
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Exhibit 9



Homeland
Security

MEMORANDUM OF ACTIVITY

Type of Activity: Declination of Prosecution 3.27.12

Case Number: I11-ICE-DAL-01327

Case Title: [REDACTED]

On March 27, 2012, Department of Homeland Security (DHS), Office of Inspector General (OIG), Dallas Field Office, Special Agent [REDACTED] received an email from [REDACTED], Deputy Chief, Criminal Section, Civil Rights Division, U.S. Department of Justice. [REDACTED] advised after review of SA [REDACTED] reports, [REDACTED] was declining prosecution of Deportation Officers [REDACTED] and [REDACTED], Immigration and Customs Enforcement, Enforcement and Removal Operations, [REDACTED] Kansas. (ICE/ERO/). [REDACTED] were alleged to have assaulted, unlawfully arrested and detained a U.S. citizen during an enforcement operation in [REDACTED] Kansas.

7C per
DOJ-CRT

7C per
DOJ-CRT

Name, Title, Signature and Date 3.23.2012

Reviewing Official Name, Title, Signature and Date:

IMPORTANT NOTICE

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[REDACTED]

From: [REDACTED] (CRT) [REDACTED]@usdoj.gov] 7C per DOJ-CRT
Sent: Tuesday, March 27, 2012 5:54 PM
To: [REDACTED]
Subject: RE: [REDACTED] KS Inv

[REDACTED]
Thanks! Based on these interview reports, I am declining this matter for criminal prosecution.

Thanks for all your work on this.

Take care,
[REDACTED]

[REDACTED]
Deputy Chief
Criminal Section
Civil Rights Division
U.S. Department of Justice
[REDACTED]

7C per DOJ-CRT

From: [REDACTED] [mailto:[REDACTED]@oig.dhs.gov]
Sent: Monday, March 19, 2012 3:38 PM
To: [REDACTED] (CRT) 7C per DOJ-CRT
Subject: [REDACTED] KS Inv

[REDACTED] Attached are the reports associated with DO's [REDACTED]. I'll forward the reports on the interview of [REDACTED] and interview of the AUSA later this week.

Thanks

7C per DOJ-CRT
[REDACTED]



Homeland
Security

COMPLAINT INTAKE FORM

Department of Homeland Security-Office of Inspector General
Office of Investigations

BTN Complaint Number: hc1205267

Date: 1/20/12

Time: 4:22 PM

Complaint Received By: Telephone

COMPLAINANT: [REDACTED]

SUBJECT(s) of Complaint: FNU LNU. Unknown Title. ICE. [REDACTED]

DETAILS [REDACTED], is claiming on [REDACTED] 2011 ICE officers entered [REDACTED] property. The victims' house is on property that [REDACTED]. The lawyer believes the ICE officers had an arrest warrant for someone living in [REDACTED]. Upon entering the property the complainant claims the ICE officers shot and killed [REDACTED] of the victims' dogs. The officers then pointed their weapons at the victims and their families, including women and children. The ICE officers handcuffed the victims while they finished executing the search warrant. Eventually the victims were let go. The victims were not able to get any of the ICE officers personal information.

WITNESSES/VICTIMS

[REDACTED]

Information received by: Call Center Operator

COMPLAINT IS:

Civil Rights
Matter

☐

Privacy Incident

☐

Law Enforcement Sensitive

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CONSENT TO DISCLOSURE OF COMPLAINT OR ALLEGATION

The Hotline Call Center Operators must inform each caller that it is the policy of the DHS OIG to carefully review each complaint or allegation received by the DHS OIG Hotline. Callers should be aware that the DHS OIG does not investigate, or inquire into each complaint received, but will often forward such information for action by the appropriate DHS management official, internal affairs office, or Office of Professional Responsibility within DHS.

DHS employees, family members of DHS employees, and DHS contract personnel are automatically entitled to confidentiality in their complaints. Any other complainant who specifically requests confidentiality is also entitled to it.

If the DHS OIG does not directly investigate a complaint and a complainant who has confidentiality gives consent to forward it, the DHS OIG will forward the matter to the appropriate DHS office or official for the action deemed necessary by that office or official.

If the DHS OIG does not directly investigate a complaint and a complainant who has confidentiality does not give consent to forward it, the DHS OIG will administratively close the matter.

The DHS OIG will not forward complaints from persons who are automatically entitled or who request confidentiality without the expressed consent of the complainant, unless the complaint involves a specific danger to health or safety, or is a national security issue.

The Call Center Operator has described the above policy to the caller and certifies that:

() The Complainant **Consented** to the disclosure of their identity and complaint information outside the DHS OIG.

Operator Initials: _____

() The Complainant **Did Not Consent** to the disclosure of their identity and complaint information outside the DHS OIG.

Operator Initials: _____

Law Enforcement Sensitive

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From: DHSOIGHOTLINE
Sent: Friday, January 27, 2012 10:20 AM
To: JOINT INTAKE
Cc: CRCLCompliance
Subject: DHS OIG C1205568

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The below information is furnished for whatever administrative action or inquiry you consider appropriate. . . Should your office take any administrative or personnel action in response to this information, you are requested to report the final result of that action within 30 business days of its conclusion. . .

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken. . . .

Case Summary Report

C14-ICE-WFO-06755

Title: LNU, FNU; U.S. Immigration and Customs Enforcement (DHS); DHS Employee,
[REDACTED] VA

Date Rcd: 3/19/2014 Date Assigned: Date Opened: 3/19/2014 Date Closed:

Rcd Method: Public Website Agent: PrimaryOffice:

Agency:

Ref Agency:

Alleg Type: Civil Rights / Civil Liberties \ Other Civil Rights/Civil Liberties

Special: Yes Privacy: No Confidential: No Dollar Loss: \$0.00

Joint Agency:

Ref Cases: HL-14-002330

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Case Summary Report

C14-ICE-WFO-06755

Comments: On [REDACTED] the [REDACTED] at 9:30 a.m. I was interviewed by an ICE officer as to the whereabouts of a fugitive of justice, who happens to be [REDACTED]. I fully cooperated and disclosed that I had no knowledge of the whereabouts of [REDACTED]. A new officer, of [REDACTED] origin, arrived at my home at 6 am, knocked on the door and as I began to open, pushed open the door and rushed in with about 8 other officers without asking my permission. This officer began to treat me in a very disrespectful manner, using inappropriate language, insulting me and my family, threatening, in front of my children, to deport me and jail [REDACTED], who is a US Citizen, and send our kids to social services. [REDACTED] continued to harass me and [REDACTED] alternately until approximately 8:30 a.m., hanging handcuffs in our faces. I explained to [REDACTED] that I was [REDACTED] and offered to show paperwork that [REDACTED] said 'those papers were worthless, [REDACTED] could tear them up and kick my ass out of the country whenever [REDACTED] felt like it.' [REDACTED] proceeded to take me outside, saying [REDACTED] had had enough and was taking me to jail', and continued to treat me disrespectfully in front of all our neighbors. I continually told [REDACTED] that I had nothing to hide and was telling the complete truth. I asked for the officer's name and [REDACTED] refused it saying 'you don't need to know my name, now you work for me, you give me the information I am asking for and I won't throw you into jail.'

This traumatized my children and they cried for days not wanting to go to school for fear I wouldn't be there upon their return. Their teacher called me asking about what was happening to our [REDACTED] as their attitudes were noticeably changed in school. They entered my house without permission or a warrant and used psychological violence, which is just as powerful as physical violence, to try and extort information for a case that I had absolutely nothing to do with. I feel that this psychological violence violated my civil rights and is inappropriate for an officer representing the United States of America, which is a great country, and deserves higher standards of respect and human dignity than what this officer has represented.

All of these actions were taken without having any reason to believe that I was hiding a fugitive of justice. My only 'crime' was being [REDACTED] who happened to [REDACTED] who did something illegal in a foreign land. Does ICE treat all [REDACTED] of fugitives of justice in this way? Are ICE officers allowed to enter and search my home without a warrant or my permission? Is being [REDACTED] probable cause and give the ICE the right to use psychological violence and traumatize small children as a tool for extortion? Is asking me for my legal papers, which has nothing to do with the case and appears to clearly violate the constitutional order of law, and then using my status to extort and threaten me in the search for information about a third party, a legal practice? I believe these officers asked about my legal status because they had a premeditated intent to use this information to obtain under duress what they wanted. Are ICE officers allowed to do all of this in anonymity, refusing to identify themselves when asked, while showing no badges or form identification to establish their authority or identity? This clearly suggests a climate of impunity and unconstitutionality within the ICE agency and among its officers. I would encourage a review of agency tactics, which appear more suited for psychological torture and interrogation rather than gathering information from innocent and upstanding members of society. I hope that in the future ICE can figure out a way to carry out its mission without trampling upon the human rights and dignity of innocent bystanders in the process.

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Case Summary Report

C14-ICE-WFO-06755

People - Subjects

LNU, FNU

Home

[REDACTED]

Aka:

SSN:

EOD:

POB:

State:

Zip:

DOB:

Address:

Company Name:

City:

State:

Zip:

DHS Emp: YES

DHS Exec: No

Phone:

[REDACTED]

Email:

LNU, FNU

Work

[REDACTED]

Aka:

SSN:

EOD:

POB:

State:

Zip:

DOB:

Address:

Company Name:

City:

State:

Zip:

DHS Emp: YES

DHS Exec: No

Phone:

Email:

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Case Summary Report

C14-ICE-WFO-06755

People - Complainants

Home
Aka: [REDACTED] SSN: [REDACTED] EOD: [REDACTED]
POB: [REDACTED] POB State: [REDACTED]
DOB: [REDACTED]
Address: [REDACTED] Company: [REDACTED]
City: [REDACTED] State: [REDACTED] Zip: [REDACTED]
DHS Emp: No DHS Exec: No
Phone: [REDACTED]
Email: [REDACTED]

Work
Aka: [REDACTED] SSN: [REDACTED] EOD: [REDACTED]
POB: [REDACTED] POB State: [REDACTED]
DOB: [REDACTED]
Address: [REDACTED] Company: [REDACTED]
City: [REDACTED] State: [REDACTED] Zip: [REDACTED]
DHS Emp: No DHS Exec: No
Phone: [REDACTED]
Email: [REDACTED]

People - Witness

People - Victims

Violations

Case Dates:

Received:	3/19/2014	Assigned:	Reassigned:
Prb Referral:		Retention:	Acknowledged
Incident Start:	[REDACTED]/2014 12:00:00 AM	Incident End:	Approx: No
Police Report:		Police Rpt #:	
Notified:		Reesponse:	Referred:
Investigation Comp:	3/11/2014 12:00:00 AM	Closed:	
Prb Decision:	3/11/2014 12:00:00 AM	Reopened:	

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Case Summary Report

C14-ICE-WFO-06755

Location

Airport: Location:
City: State: Zip:
Facility: FFDO Airline:
Investigation Loc: Region:
Transport Mode:

Notes

, Hotline Service

Note Type: Standard Case Note Create Date: 3/19/2014

Note: Public website submitter indicated that the incident location was: In my home, [REDACTED]

, Hotline Service

Note Type: Standard Case Note Create Date: 3/19/2014

Note: Public website submitter indicated that the duty status of subject was: On Duty

Tasky, Mark

Note Type: Standard Case Note Create Date: 3/20/2014

Note: This conversion request was rejected by [REDACTED] of the Washington, DC office on Mar 20 2014 5:11PM. Any questions regarding this rejection should be directed to above named either by phone at [REDACTED] or email at [REDACTED]@OIG.DHS.Gov

Technical

Disposition - Criminal

Dispositions - Civil

Disposition - Admin

MIR

ROI / Referral

Case Type: Complaint Referral Date: 3/19/2014 Response Date: 3/19/2014 Closed Date:
Action: Convert to Investigation Agency Referred:

Collaterals

Uploaded Documents

Date Prepared: Grand Jury: No

Doc Type:

Description:

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Case Summary Report

C14-ICE-MIA-10568

Title: Unknown, U.S. Immigration and Customs Enforcement (DHS), [REDACTED], FL

Date Rcd: 6/10/2014 Date Assigned: Date Opened: 6/10/2014 Date Closed:

Rcd Method: Public Website Agent:

Agency: PrimaryOffice:

Ref Agency:

Alleg Type: Civil Rights / Civil Liberties \ Other Civil Rights/Civil Liberties

Special: No Privacy: No Confidential: No Dollar Loss: \$0.00

Joint Agency:

Ref Cases: HL-14-003294

Comments: My home was invaded by ICE' SWAT team at 6:16 am today (for someone/something no longer present). I sleep [REDACTED] and was forced to the ground. I requested several times to be covered and was refused. I requested ID several times and the agent became belligerent and threatening when I refused to accept [REDACTED] outfit as ID. [REDACTED] ran [REDACTED] hand up & down [REDACTED] SWAT style outfit and stated isn't this ID enough? to which I replied "I can buy that up in [REDACTED]. Our neighborhood has had several home invasions by groups posing as police so I was very skeptical. While on the ground, [REDACTED] witnessed the agent eying [REDACTED] up and down (to the extent [REDACTED] body and head were moving) while [REDACTED] rifle was aimed at my back. They put plastic ties on our hands, mine were so tight my hands went numb, later when the SA went to cut the ties off my hands [REDACTED] commented that they were too tight and said "why did [REDACTED] put them so tight?". Additionally, in excess of necessity, they destroyed an expensive [REDACTED] and shattered my [REDACTED] doors (in addition to the damaged floors & door jams) They also unhooked the DVR to my security system and threw it on the floor because they "couldn't be recorded".
I wish to file a formal complaint and I will be seeking compensation for damages as well as humiliation, sexual misconduct and abuse of force.

--
Public website submitter indicated that the incident location was: [REDACTED]

People - Subjects

	Institution	
Aka:	SSN:	EOD:
POB:	State:	Zip: [REDACTED]
DOB:		
Address:	[REDACTED]	Company Name:
		City: [REDACTED] State: FL Zip: [REDACTED]
DHS Emp:	NO	DHS Exec: No
Phone:	[REDACTED]	
Email:		

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Case Summary Report

C14-ICE-MIA-10568

People - Complainants

Home		
Aka:	SSN:	EOD:
POB:	POB State:	
DOB:		
Address:	Company: none	
	City:	State: FL Zip:
DHS Emp: No	DHS Exec: No	
Phone:		
Email:		

Work		
Aka:	SSN:	EOD:
POB:	POB State:	
DOB:		
Address:	Company: none	
	City:	State: Zip:
DHS Emp: No	DHS Exec: No	
Phone:		
Email:		

People - Witness

People - Victims

Violations

Case Dates:

Received:	6/10/2014	Assigned:	Reassigned:
Prb Referral:		Retention:	Acknowledged
			:
Incident Start:	/2014	Incident End:	Approx: No
	12:00:00		
	AM		
Police Report:		Police Rpt #:	
Notified:		Reesponse:	Referred:
Investigation Comp:	6/10/2014	Closed:	
	12:00:00		
	AM		
Prb Decision:	6/10/2014	Reopened:	
	12:00:00		
	AM		

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Case Summary Report

C14-ICE-MIA-10568

Location

Airport:		Location:			
City:		State:	FL	Zip:	
Facility:		FFDO Airline:			
Investigation Loc:		Region:			
Transport Mode:					

Technical

Disposition - Criminal

Dispositions - Civil

Disposition - Admin

MIR

ROI / Referral

Case Type:	Complaint	Referral Date:	6/10/2014	Response Date:	6/10/2014	Closed Date:	
Action:	Convert to Investigation	Agency Referred:					

Collaterals

Uploaded Documents

Date Prepared:		Grand Jury:	No
Doc Type:			
Description:			

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Case Summary Report

C14-ICE-HOU-15001

Title: [REDACTED], DO, [REDACTED] TX

Date Rcd: 9/3/2014 Date Assigned: Date Opened: 9/3/2014 Date Closed:

Rcd Method: Baton Rouge Hotline Agent:

Agency: PrimaryOffice:

Ref Agency:

Alleg Type: Civil Rights / Civil Liberties \ Denial of Rights / Due Process

Special: No Privacy: No Confidential: No Dollar Loss: \$0.00

Joint Agency:

Ref Cases: BR-14-000702

Comments: [REDACTED] has been waiting at the [REDACTED] facility without a court hearing for over 6 months. [REDACTED] visited [REDACTED] without a search warrant on [REDACTED], 2013 to look for [REDACTED] passport. While at [REDACTED] house, [REDACTED] harassed and threatened [REDACTED] family. [REDACTED] was not able to find [REDACTED] passport. [REDACTED] has also been physically abused and threatened by [REDACTED] because of the grievances [REDACTED] has filed. The complainant claimed that [REDACTED] is responsible for managing the operations at the facility in question. The complainant did not make any other indication as to how [REDACTED] is involved.

--
LSU Call Center submitter indicated that the duty status of Alleged Offender [REDACTED] was: On Duty
LSU Call Center submitter indicated that the duty status of Alleged Offender [REDACTED] was: On Duty

People - Subjects

[REDACTED] Home [REDACTED]
Aka: SSN: EOD:
POB: State: Zip:
DOB:
Address: Company Name:
City: State: Zip:
DHS Emp: YES DHS Exec: No
Phone:
Email:

[REDACTED] Work [REDACTED]
Aka: SSN: EOD:
POB: State: Zip: [REDACTED]
DOB:
Address: [REDACTED] Company Name:
City: [REDACTED] State: TX Zip: [REDACTED]
DHS Emp: YES DHS Exec: No
Phone:
Email:

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Case Summary Report

C14-ICE-HOU-15001

Home

Aka: [REDACTED] SSN: [REDACTED] EOD: [REDACTED]
POB: [REDACTED] State: [REDACTED] Zip: [REDACTED]
DOB: [REDACTED]
Address: [REDACTED] Company Name: [REDACTED]
City: [REDACTED] State: [REDACTED] Zip: [REDACTED]
DHS Emp: YES DHS Exec: No
Phone: [REDACTED]
Email: [REDACTED]

Work

Aka: [REDACTED] SSN: [REDACTED] EOD: [REDACTED]
POB: [REDACTED] State: [REDACTED] Zip: [REDACTED]
DOB: [REDACTED]
Address: [REDACTED] Company Name: [REDACTED]
City: [REDACTED] State: TX Zip: [REDACTED]
DHS Emp: YES DHS Exec: No
Phone: [REDACTED]
Email: [REDACTED]

Home

Aka: [REDACTED] SSN: [REDACTED] EOD: [REDACTED]
POB: [REDACTED] State: [REDACTED] Zip: [REDACTED]
DOB: [REDACTED]
Address: [REDACTED] Company Name: [REDACTED]
City: [REDACTED] State: TX Zip: [REDACTED]
DHS Emp: YES DHS Exec: No
Phone: [REDACTED]
Email: [REDACTED]

Work

Aka: [REDACTED] SSN: [REDACTED] EOD: [REDACTED]
POB: [REDACTED] State: [REDACTED] Zip: [REDACTED]
DOB: [REDACTED]
Address: [REDACTED] Company Name: [REDACTED]
City: [REDACTED] State: TX Zip: [REDACTED]
DHS Emp: YES DHS Exec: No
Phone: [REDACTED]
Email: [REDACTED]

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Case Summary Report

C14-ICE-HOU-15001

People - Complainants

Home
Aka: [REDACTED] SSN: [REDACTED] EOD: [REDACTED]
POB: [REDACTED] POB State: [REDACTED]
DOB: [REDACTED]
Address: [REDACTED] Company: [REDACTED]
City: [REDACTED] State: [REDACTED] Zip: [REDACTED]
DHS Emp: No DHS Exec: No
Phone: [REDACTED]
Email: [REDACTED]

Work
Aka: [REDACTED] SSN: [REDACTED] EOD: [REDACTED]
POB: [REDACTED] POB State: [REDACTED]
DOB: [REDACTED]
Address: [REDACTED] Company: [REDACTED]
City: [REDACTED] State: TX Zip: [REDACTED]
DHS Emp: No DHS Exec: No
Phone: [REDACTED]
Email: [REDACTED]

People - Witness

People - Victims

Violations

Case Dates:

Received:	9/3/2014	Assigned:	Reassigned:
Prb Referral:		Retention:	Acknowledged
Incident Start:	[REDACTED]/2013 12:00:00 AM	Incident End:	Approx: No
Police Report:		Police Rpt #:	
Notified:		Reesponse:	Referred:
Investigation Comp:	1/16/2013 12:00:00 AM	Closed:	
Prb Decision:	1/16/2013 12:00:00 AM	Reopened:	

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Case Summary Report

C14-ICE-HOU-15001

Location

Airport:		Location:		
City:		State:	TX	Zip:
Facility:		FFDO Airline:		
Investigation Loc:		Region:		
Transport Mode:				

Technical

Disposition - Criminal

Dispositions - Civil

Dispositions - Admin

MA

ROI / Referral

Case Type:	Complaint	Referral Date:	9/3/2014	Response Date:	9/3/2014	Closed Date:
Action:	Convert to Investigation	Agency Referred:				

Collaterals

Uploaded Documents

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Case Summary Report

C14-ICEHSI-DVR-09202

Title: [REDACTED]; ICE; [REDACTED], CO

Date Rcd: 5/12/2014 Date Assigned: Date Opened: 5/12/2014 Date Closed:

Rcd Method: Mail Agent:

Agency: PrimaryOffice:

Ref Agency:

Alleg Type: Civil Rights / Civil Liberties \ Other Civil Rights/Civil Liberties

Special: No Privacy: No Confidential: No Dollar Loss: \$0.00

Joint Agency:

Ref Cases:

Comments: HSI SPECIAL AGENT SUBJECTS

SUBJECT: REPORT OF MISCONDUCT/REQUEST FOR INVESTIGATION IN THE
CASE OF HSI SPECIAL AGENTS [REDACTED] AND [REDACTED]

I am writing to you to report the misconduct of Special Agents [REDACTED] and [REDACTED]. Both agents have been assigned to the HSI office in [REDACTED] since at least [REDACTED]. They have also been directly responsible for ICE alien apprehension operations in [REDACTED], since that time.

I request that you investigate whether these agents engaged in a pattern of egregious 4th Amendment violations from 2007 through 2012 by (1) entering numerous dwellings in the nighttime without judicial warrants or consent of the occupants and (2) plucking bystanders off the street solely because of their Latino appearance to arrest suspected aliens.

IMPORTANT NOTICE

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Case Summary Report

C14-ICEHSI-DVR-09202

People - Subjects

Work

Aka: [REDACTED] SSN: [REDACTED] EOD: [REDACTED]
POB: [REDACTED] State: [REDACTED] Zip: [REDACTED]
DOB: [REDACTED]
Address: [REDACTED]
Company Name: [REDACTED]
City: [REDACTED] State: CO Zip: [REDACTED]
DHS Emp: YES
DHS Exec: No
Phone: [REDACTED]
Email: [REDACTED]

Home

Aka: [REDACTED] SSN: [REDACTED] EOD: [REDACTED]
POB: [REDACTED] State: [REDACTED] Zip: [REDACTED]
DOB: [REDACTED]
Address: [REDACTED]
Company Name: [REDACTED]
City: [REDACTED] State: CO Zip: [REDACTED]
DHS Emp: YES
DHS Exec: No
Phone: [REDACTED]
Email: [REDACTED]

Work

Aka: [REDACTED] SSN: [REDACTED] EOD: [REDACTED]
POB: [REDACTED] State: [REDACTED] Zip: [REDACTED]
DOB: [REDACTED]
Address: [REDACTED]
Company Name: [REDACTED]
City: [REDACTED] State: CO Zip: [REDACTED]
DHS Emp: YES
DHS Exec: No
Phone: [REDACTED]
Email: [REDACTED]

Home

Aka: [REDACTED] SSN: [REDACTED] EOD: [REDACTED]
POB: [REDACTED] State: [REDACTED] Zip: [REDACTED]
DOB: [REDACTED]
Address: [REDACTED]
Company Name: [REDACTED]
City: [REDACTED] State: CO Zip: [REDACTED]
DHS Emp: YES
DHS Exec: No
Phone: [REDACTED]
Email: [REDACTED]

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Case Summary Report

C14-ICEHSI-DVR-09202

People - Complainants

Home
Aka: [REDACTED] SSN: [REDACTED] EOD: [REDACTED]
POB: [REDACTED] POB State: [REDACTED]
DOB: [REDACTED]
Address: [REDACTED] Company: [REDACTED]
City: [REDACTED] State: [REDACTED] Zip: [REDACTED]
DHS Emp: No DHS Exec: No
Phone: [REDACTED]
Email: [REDACTED]

Work
Aka: [REDACTED] SSN: [REDACTED] EOD: [REDACTED]
POB: [REDACTED] POB State: [REDACTED]
DOB: [REDACTED]
Address: [REDACTED] Company: [REDACTED]
City: [REDACTED] State: [REDACTED] Zip: [REDACTED]
DHS Emp: No DHS Exec: No
Phone: [REDACTED]
Email: [REDACTED]

People - Witness

People - Victims

Violations

Case Dates:

Received:	5/12/2014	Assigned:	Reassigned:
Prb Referral:		Retention:	Acknowledged
			:
Incident Start:		Incident End:	Approx: No
Police Report:		Police Rpt #:	
Notified:		Reesponse:	Referred:
Investigation Comp:		Closed:	
Prb Decision:		Reopened:	

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Case Summary Report

C14-ICEHSI-DVR-09202

Location

Airport: [REDACTED] Location:
City: [REDACTED] State: CO Zip:
Facility: FFDO Airline:
Investigation Loc: Region:
Transport Mode:

Technical

Disposition - Criminal

Dispositions - Civil

Disposition - Admin

MIR

ROI / Referral

Case Type: Complaint Referral Date: 5/13/2014 Response Date: 5/13/2014 Closed Date:
Action: Convert to Investigation Agency Referred:

Collaterals

Uploaded Documents

Date Prepared: 5/12/2014 Grand Jury: No
Doc Type: C1409202_05-12-2014_12-12-09.pdf
Description: Complaint Origination Document(s)

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